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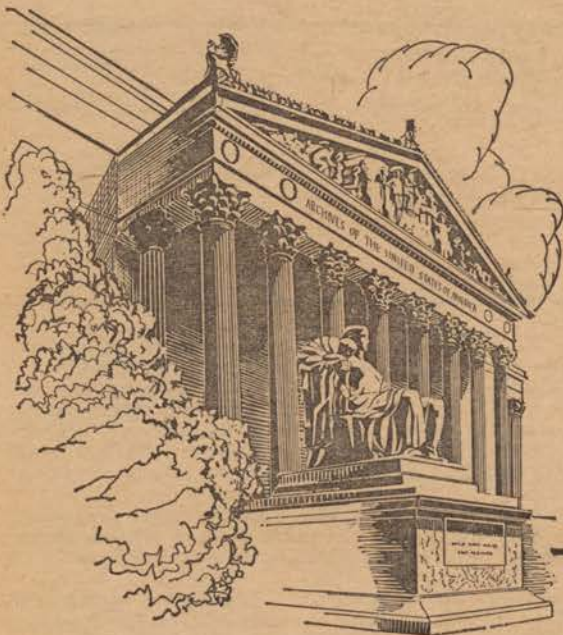
Wednesday, August 21, 1968 • Washington, D.C.

Pages 11805-11876

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Agricultural Stabilization and
Conservation Service
Army Department
Atomic Energy Commission
Civil Aeronautics Board
Consumer and Marketing Service
Federal Communications Commission
Federal Home Loan Bank Board
Federal Maritime Commission
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Foreign Direct Investments Office
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Narcotics and Dangerous Drugs
Bureau
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Packers and Stockyards
Administration
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Small Business Administration
Transportation Department

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[Revised as of January 1, 1968]

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Title 7—AGRICULTURE

Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

Subpart—United States Standards for Grades of Radishes¹

On June 5, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 8343) regarding a proposed revision of U.S. Standards for Radishes (7 CFR, §§ 51.2395-51.2412).

Statement of considerations leading to the revision of the grade standards. Following publication of the proposal in the FEDERAL REGISTER, copies were distributed to industry organizations and individuals for comment. The period for submission of comments ended July 15, 1968.

Two letters of comment were received in response to publication of the proposal. One from Ohio stated that the changes as proposed were acceptable. The other, from a growers' association in Florida, stated that most of the proposed changes were acceptable, but two specific provisions were considered to be somewhat too lenient. It recommended that, in the best interests of the radish producers, those two provisions should be changed. Specifically: (1) Retain the present requirement of three-eighths inch maximum length of tops on "topped" radishes rather than increasing the maximum length to one-half inch as proposed in § 51.2395; and, (2) Provide for a limit of five-eighths inch in length for an air crack or growth crack on a radish 1½ inch in diameter or larger instead of the three-fourths inch maximum length of crack proposed (§ 51.2409, Table I).

The two specific changes recommended have been made. The allowance for size of air and growth cracks would be slightly more liberal than present requirements. The limitation for length of tops for topped radishes would remain the same as present requirements.

After consideration of all relevant matters presented by interested persons, the U.S. Standards for Grades of Radishes are hereby promulgated as so pro-

¹ Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

posed pursuant to the Agricultural Marketing Act of 1946 (60 Stat. 1087, as amended; 7 U.S.C. 1621-1627), subject to the following changes:

1. In § 51.2395, the words "one-half" are changed to read "three-eighths".
2. Table I of § 51.2409 is changed to read:

TABLE I

Diameter of root	Maximum length of growth crack or air crack permitted	Maximum area of cut permitted equivalent to:
¾ inch.....	¾ inch.....	¾ inch circle.
¾ inch.....	¾ inch.....	¾ inch circle.
¾ inch.....	¾ inch.....	¾ inch circle.
1 inch.....	¾ inch.....	¾ inch circle.
1½ inches.....	¾ inch.....	¾ inch circle.

These revised standards are also re-titled "United States Standards for Grades of Radishes". Such revised standards shall become effective October 1, 1968, and will thereupon supersede the U.S. Standards for Radishes which have been in effect since July 16, 1954, as amended December 15, 1963 (7 CFR, §§ 51.2395-51.2412).

Dated: August 15, 1968.

G. R. GRANGE,
Deputy Administrator,
Marketing Services.

STYLES

- Sec.
51.2395 Topped radishes.
51.2396 Bunched radishes.

GRADES

- 51.2397 U.S. No. 1.
51.2398 U.S. Commercial.

SAMPLE FOR GRADE DETERMINATION

- 51.2399 Sample for grade determination.

APPLICATION OF TOLERANCES

- 51.2400 Application of tolerances.

STANDARD BUNCHING

- 51.2401 Standard bunching.

SIZE TERMS

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DEFINITIONS

- 51.2403 Similar varietal characteristics.
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51.2409 Damage.
51.2410 Fresh.
51.2411 Diameter.
51.2412 Serious damage.

METRIC CONVERSION TABLE

- 51.2413 Metric conversion table.

AUTHORITY: The provisions of this subpart issued under secs. 203, 205, 60 Stat. 1087, as amended, 1090 as amended; 7 U.S.C. 1622, 1624.

STYLES

§ 51.2395 Topped radishes.

"Topped radishes" means radishes with the tops clipped back to not more than three-eighths inch in length.

§ 51.2396 Bunched radishes.

"Bunched radishes" means radishes with full length tops which are tied in bunches.

GRADES

§ 51.2397 U.S. No. 1.

"U.S. No. 1" consists of radishes of similar varietal characteristics the roots of which are clean, well formed, smooth, firm, tender, and free from decay and free from damage caused by freezing, growth cracks or air cracks, cuts, pithiness, disease, insects, or other means. Bunched radishes have tops which are fresh and free from decay and free from damage caused by freezing, seedstems, yellowing or other discoloration, disease, insects, or other means.

(a) Unless otherwise specified, the diameter of each root shall be not less than five-eighths inch.

(b) In order to allow for variations incident to proper grading and handling, the following tolerances are provided:

(1) For defects of roots. 10 percent, by count, for roots in any lot which fail to meet the requirements for the grade, including therein not more than 1 percent for decay;

(2) For defects of tops of bunched radishes. 10 percent, by count, for bunches in any lot which fail to meet the requirements for the grade, including therein not more than 5 percent for decay;

(3) For off-size roots. 10 percent, by count, for roots in any lot which fail to meet the specified minimum diameter: *Provided*, That when both minimum and maximum diameters are specified, an additional tolerance of 10 percent shall be allowed for roots which are larger than the maximum diameter specified; and,

(4) For excess length of tops of topped radishes. 5 percent, by count, for roots in any lot with tops which are more than one-half inch long.

§ 51.2398 U.S. Commercial.

"U.S. Commercial" consists of radishes which meet the requirements for the U.S. No. 1 grade except for the increased tolerances specified in this section.

(a) In order to allow for variations incident to proper grading and handling, the following tolerances are provided:

(1) For defects of roots. 20 percent, by count, for roots in any lot which fail to meet the requirements for the grade, but not more than one-half of this amount, or 10 percent, shall be allowed for serious

damage, including therein not more than 1 percent for decay;

(2) For defects of tops of bunched radishes. 10 percent, by count, for bunches in any lot which fail to meet the requirements for the grade, including therein not more than 5 percent for decay;

(3) For off-size roots. 10 percent, by count, for roots in any lot which fail to meet the specified minimum diameter: *Provided*, That when both minimum and maximum diameters are specified, an additional tolerance of 10 percent shall be allowed for roots which are larger than the maximum diameter specified; and,

(4) For excess length of tops of topped radishes. 10 percent, by count, for roots in any lot with tops which are more than one-half inch long.

SAMPLE FOR GRADE DETERMINATION

§ 51.2399 Sample for grade determination.

(a) Topped radishes: Each sample shall consist of 50 roots.

(b) Bunched radishes:

(1) When applying the requirements for tops, each sample shall consist of 25 bunches.

(2) When applying the requirements for roots, each sample shall consist of 50 roots taken from whole or part bunches selected at random from the original 25-bunch sample.

(c) When individual packages contain less than 50 topped radishes or less than 25 bunches, a sufficient number of adjoining packages are opened to obtain the prescribed size sample.

(d) When practical, at point of packing, the sample may be obtained in the packing house from the belt or bin after sorting has been completed.

APPLICATION OF TOLERANCES

§ 51.2400 Application of tolerances.

Individual samples shall have not more than one and one-half times a specified tolerance of 10 percent, and not more than double a specified tolerance of less than 10 percent: *Provided*, That two roots affected by decay may be permitted in any sample: *And provided further*, That the averages for the entire lot are within the tolerances specified for the grade.

STANDARD BUNCHING

§ 51.2401 Standard bunching.

(a) Standard bunches of radishes shall be fairly uniform in size, and radishes in the individual bunches shall not vary more than one-half inch in diameter.

(b) Not more than 10 percent of the bunches in any lot may fail to meet the requirements for "Standard Bunching."

SIZE TERMS

§ 51.2402 Size terms.

(a) The following terms are provided for describing the diameters of radish roots:

(1) "Small" means less than three-fourths inch in diameter;

(2) "Medium" means three-fourths to 1 inch in diameter;

(3) "Large" means over 1 to 1½ inches in diameter; and,

(4) "Very large" means over 1½ inches in diameter.

DEFINITIONS

§ 51.2403 Similar varietal characteristics.

"Similar varietal characteristics" means that the radishes in any sample are similar in color and shape; for example, red varieties shall not be mixed with white varieties and globe-shaped varieties shall not be mixed with long-shaped varieties.

§ 51.2404 Clean.

"Clean" means that the radishes are practically free from dirt or other foreign material.

§ 51.2405 Well formed.

"Well formed" means that the root has the shape characteristic of the variety.

§ 51.2406 Smooth.

"Smooth" means that the root is not rough, or ridged to the extent that the appearance is materially affected.

§ 51.2407 Firm.

"Firm" means that the root is crisp and not soft, flabby, or wilted.

§ 51.2408 Tender.

"Tender" means that the root is not stringy or woody.

§ 51.2409 Damage.

"Damage" means any specific defect described in this section; or an equally objectionable variation of any one of these defects, any other defect, or any combination of defects, which materially detracts from the appearance, or the edible or marketing quality of the individual radish, the individual bunch of radishes, or the appearance of the sample as a whole.

The following specific defects shall be considered as damage:

- (a) Growth cracks or air cracks:
- (1) When more than one are present;
- (2) When the flesh is discolored;
- (3) When more than one-fourth inch deep; or,
- (4) When the length of any crack exceeds the limitations set forth in Table I.
- (b) Cuts, including harvester cuts and abrasions:
- (1) When the flesh is discolored;
- (2) When rough or deep;
- (3) When the area of exposed flesh of any cut exceeds the limitations set forth in Table I; or,
- (4) When the aggregate of all cuts or abrasions detracts from the appearance more than the maximum size single cut permitted.

TABLE I

Diameter of root	Maximum length of growth crack or air crack permitted	Maximum area of cut permitted—equivalent to:
¾ inch	¾ inch	¾ inch circle.
¾ inch	¾ inch	¾ inch circle.
¾ inch	¾ inch	¾ inch circle.
1 inch	1 inch	1 inch circle.
1 inch	1 inch	1 inch circle.
1½ inch	1½ inch	1½ inch circle.

(c) Pithiness when there is any distinctly open space, or when more than one-fourth of the surface at a center cut is dry and cottony;

(d) Insects or insect injury when the appearance of the root is materially affected, or when the injury penetrates into the flesh of the root or when the tops are affected to the extent that the appearance of the bunch is materially affected; and,

(e) Yellowing or other discoloration of the tops when the appearance of the bunch is materially affected. The appearance of bunches with tops having slight discoloration such as yellowing, browning, or other abnormal color affecting a few leaves shall not be considered materially affected if the tops as a whole show a predominantly normal green color.

§ 51.2410 Fresh.

"Fresh" means that the tops have normal green color and are not more than slightly wilted.

§ 51.2411 Diameter.

"Diameter" means the greatest dimension of the root measured at right angles to a line running from the crown to the base of the root.

§ 51.2412 Serious damage.

"Serious damage" means any defect or any combination of defects which seriously detracts from the appearance, or the edible or marketing quality of the individual root or the appearance of the bunch.

METRIC CONVERSION TABLE

§ 51.2413 Metric conversion table.

Inches	Millimeters (mm)
1/8	3.2
1/4	6.4
3/8	9.5
1/2	12.7
5/8	15.9
3/4	19.1
7/8	22.2
1	25.4
1 1/4	31.8
1 1/2	38.1

[F.R. Doc. 68-10066; Filed, Aug. 20, 1968; 8:51 a.m.]

Chapter II—Consumer and Marketing Service (Consumer Food Programs), Department of Agriculture

PART 215—SPECIAL MILK PROGRAM FOR CHILDREN

Appendix—Third Apportionment of Special Milk Program Funds Pursuant to Child Nutrition Act of 1966, Fiscal Year 1968

AMENDMENT OF REAPPORTIONMENT FOR THE STATES OF NEW YORK, TENNESSEE, AND VIRGINIA

A third apportionment pursuant to section 3 of the Child Nutrition Act of 1966, Public Law 89-642, 80 Stat. 886, milk assistance funds available for the fiscal year ending June 30, 1968 was published in the FEDERAL REGISTER on July

13, 1968 (33 F.R. 10083). The third apportionment is amended for the States of New York, Tennessee, and Virginia as follows:

State	Total apportionment	State agency	Withheld for private schools
New York.....	\$9,329,988	\$9,329,988	-----
Tennessee.....	1,831,671	1,751,270	\$80,401
Virginia.....	1,828,339	1,641,489	186,850
Total.....	103,332,000	95,895,823	7,436,177

(Secs. 2, 3, 6, and 8-16, 80 Stat. 885-890; 42 U.S.C. 1771, 1772, 1775, 1777-1785)

Dated: August 16, 1968.

WINN F. FINNER,
Acting Administrator.

[F.R. Doc. 68-10067; Filed, Aug. 20, 1968; 8:51 a.m.]

Chapter III—Agricultural Research Service, Department of Agriculture PART 319—FOREIGN QUARANTINE NOTICES

Subpart—Indian Corn or Maize, Broomcorn and Related Plants

QUARANTINE REGULATIONS

Pursuant to sections 1, 5, and 9 of the Plant Quarantine Act of 1912, as amended (7 U.S.C. 154, 159, 162), § 319.41-3, relating to the issuance of permits under Indian Corn or Maize, Broomcorn and Related Plants Quarantine No. 41, 7 CFR 319.41-3, is amended by adding the port of Norfolk to the North Atlantic ports listed in paragraph (b) of the said section. As amended, § 319.41-3(b) reads as follows:

§ 319.41-3 Issuance of permits.

(b) For broomcorn and brooms and similar articles made of broomcorn, permits will be issued by the Director of the Plant Quarantine Division for such ports as may be designated therein, except that permits will be issued for the entry of broomcorn originating in countries other than those in the North or South American Continents or the West Indies only through the ports of Baltimore, Boston, New York, and Norfolk, or through other northeastern ports which may from time to time be designated in the permit, and at which facilities for treatment of infested material may be available, such entry to be limited to those shipments accompanied by on-board bills of lading dated within the period September 15 through February 15 of the succeeding year, both dates inclusive. Permits will not be issued for the entry of broomcorn from any source through ports on the Pacific Coast.

(Secs. 1, 5, 9, 37 Stat. 315, 316, 318; 7 U.S.C. 154, 159, 162; 29 F.R. 16210, as amended; 30 F.R. 5799, as amended)

At the request of importers and to facilitate the movement of increased importations of European broomcorn into the United States, the port of Norfolk,

Va., is added to the list of ports that may be designated in the permits where approved fumigation facilities are available. It has been determined that allowing entry of broomcorn at Norfolk under the conditions prescribed in the quarantine regulations will not result in the introduction of plant pests.

In order to be of maximum benefit to importers of broomcorn, this amendment should be made effective promptly. Therefore, pursuant to the administrative procedure provisions of 5 U.S.C. 553, it is found upon good cause that notice and other public procedures with respect to the amendment are impracticable and unnecessary, and this amendment may be made effective less than 30 days after publication in the FEDERAL REGISTER.

This amendment shall become effective upon publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 15th day of August 1968.

[SEAL] R. J. ANDERSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 68-10064; Filed, Aug. 20, 1968; 8:51 a.m.]

PART 319—FOREIGN QUARANTINE NOTICES

Subpart—Fruits and Vegetables

ADMINISTRATIVE INSTRUCTIONS PRESCRIBING METHOD OF TREATMENT OF GARLIC FROM SPECIFIED COUNTRIES

On January 27, 1968, there was published in the FEDERAL REGISTER (33 F.R. 1075), a notice of proposed rule making concerning an amendment of administrative instructions designated as 7 CFR 319.56-2h, relating to the Fruit and Vegetable Quarantine regulations, to amend the heading and the first sentence of paragraph (a) (1) of § 319.56-2h. After due consideration of all relevant matters presented, and pursuant to § 319.56-2 of the regulations (7 CFR 319.56-2) supplemental to the Fruit and Vegetable Quarantine (Notice of Quarantine No. 56, 7 CFR 319.56), under sections 5 and 9 of the Plant Quarantine Act of 1912 (7 U.S.C. 159, 162), and other authority (30 F.R. 5799, as amended), said § 319.56-2h is hereby amended to read as follows:

§ 319.56-2h Administrative instructions prescribing method of treatment of garlic from specified countries.

(a) (1) Except as otherwise provided in these administrative instructions, fumigation with methyl bromide in vacuum fumigation chambers approved by the Director of the Plant Quarantine Division is a condition of entry under permit for all shipments of garlic (*Allium sativum*) from Algeria, Austria, Czechoslovakia, Egypt, France, Greece, Hungary, Iran, Israel, Italy, Morocco, Portugal, South Africa (Republic of), Spain, Switzerland, Syria, Turkey, Union of Soviet Socialist Republics, West Germany, and Yugoslavia. Fumigation is to be carried out under the supervision of a plant quarantine inspector and at the

expense of the importer. While it is believed that the garlic will be unaffected by the fumigation, the treatment will be at the importer's risk. Such entry will be limited to the ports of Baltimore, Md., Boston, Mass., Los Angeles, Calif., New Orleans, La., New York, N.Y., Norfolk, Va., San Juan, P.R., San Francisco, Calif., and Seattle, Wash., where approved facilities for vacuum fumigation with methyl bromide are available, and to such other ports as may be named in the permits if approved vacuum fumigation facilities are later made available at those other ports.

(Secs. 5, 9, 37 Stat. 316, 318, 7 U.S.C. 159, 162; 29 F.R. 16210, as amended, and 30 F.R. 5799, as amended; 7 CFR 319.56-2)

This amendment includes Austria, Czechoslovakia, Egypt, France, Greece, Iran, Israel, Portugal, South Africa (Republic of), Switzerland, Syria, Turkey, Union of Soviet Socialist Republics, and West Germany among the countries whose exports of garlic to the United States must be fumigated with methyl bromide as a condition of entry. Such fumigation is now required of garlic imported from Algeria, Hungary, Italy, Morocco, Spain, and Yugoslavia inasmuch as these countries are infested with *Brachymerus* spp. and *Dyspessa ulula* (Bkh.), destructive insect pests of garlic. These same pests exist in the 14 countries herein included. Therefore, to prevent the introduction of the pests into the United States, these countries are added to the list.

This amendment should be made effective promptly to protect the United States against the entry of injurious insects with shipments of garlic. Therefore, it is in the public interest that the amendment be made effective as soon as possible. Accordingly, under the administrative procedure provisions of 5 U.S.C. 553, good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

These administrative instructions shall become effective upon publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 16th day of August 1968.

[SEAL] F. A. JOHNSTON,
Director,
Plant Quarantine Division.

[F.R. Doc. 68-10063; Filed, Aug. 20, 1968; 8:51 a.m.]

Chapter VII—Agricultural Stabilization and Conservation Service, (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 16]

PART 719—RECONSTITUTION OF FARMS, ALLOTMENTS, AND BASES

Pooling and Transfer of Allotments

This amendment is issued pursuant to section 375(b) of the Agricultural Adjustment Act of 1938, as amended (7

U.S.C. 1375(b)), section 124 of the Soil Bank Act (7 U.S.C. 1812), and the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590g-p). This amendment provides that the owner of land sold to an agency having the right of eminent domain is not displaced so long as he farms the land continuously under lease.

Since lands are being acquired by agencies having the right of eminent domain and leasing arrangements are being made which would have an effect on the pooling of allotments and bases, it is essential that this amendment be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the notice, public procedure and 30-day effective date requirements of 5 U.S.C. 553 is impracticable and contrary to the public interest and this amendment shall be effective upon publication in the FEDERAL REGISTER.

§ 719.11 [Amended]

The regulations in § 719.11 are amended as follows:

Amend paragraph (a) (3) (ii), (4) and the first sentence of paragraph (h) to read as follows:

(ii) In the case of transfer of title, the date the owner loses possession of the acquired land as owner, or as lessee under lease beginning immediately after the owner conveyed title. Such owner may become displaced from the acquired land even though a lease is in effect if he wishes to give up his right to produce the allotment crops and feed grain bases on the acquired land:

(4) *Displaced owner.* The owner who gives up possession of the land acquired by an agency. A person who gets a farm subject to an outstanding contract of sale to any agency, or option to purchase by an agency, subject to pending condemnation proceedings, cannot be considered a displaced owner.

(h) *Reconstitution where all or part of an acquired farm is leased to the displaced owner.* Where possession of all or part of an acquired farm is retained by the displaced owner by virtue of a lease, any portion of the acquired farm which is not leased by the displaced owner shall be constituted separately from the leased portion at the date of displacement.

(Secs. 375, 378, 52 Stat. 66, as amended, 72 Stat. 995, as amended, 7 U.S.C. 1375, 1378; sec. 124, 70 Stat. 198, 7 U.S.C. 1812; sec. 4, 49 Stat. 164, 16 U.S.C. 590d)

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on August 14, 1968.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 68-10028; Filed, Aug. 20, 1968; 8:49 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

PART 993—DRIED PRUNES PRODUCED IN CALIFORNIA

Subpart—Administrative Rules and Regulations

Notice was published in the July 26, 1968, issue of the FEDERAL REGISTER (33 F.R. 10656) regarding a proposed amendment of § 993.149 of the administrative rules and regulations (Subpart—Administrative Rules and Regulations; 7 CFR 993.101-993.174). The subpart is operative pursuant to the marketing agreement, as amended, and Order No. 993, as amended (7 CFR Part 993), regulating the handling of dried prunes produced in California.

The proposed amendment was recommended by the Prune Administrative Committee, established under the order, and relates to the disposition of certain defective prunes in nonhuman consumption outlets, and to the receiving of prunes by handlers at dehydrators' premises.

The notice afforded interested persons an opportunity to submit written data, views, or arguments with respect to the proposal. Comments were received from the Committee and one handler.

After consideration of all relevant matter presented, including that in the notice, the views submitted pursuant to the notice, the recommendations of the Prune Administrative Committee, and other available information, it is found that the amendment of the Subpart—Administrative Rules and Regulations, as hereinafter set forth, is in accordance with this part, will tend to effectuate the declared policy of the act, and for the reasons hereinafter set forth, should become effective at the time provided herein.

Therefore, it is hereby ordered, That § 993.149(d) (3) is revised, and a new paragraph (e) is added to § 993.149 to read as follows:

§ 993.149 Receiving of prunes by handlers.

* * * * *

(3) *Disposition.* Prunes accumulated by a handler pursuant to subparagraph (2) of this paragraph shall be disposed of in nonhuman consumption outlets during the crop year in which the prunes establishing such obligation were received from producers and dehydrators unless the handler files an application with the Committee for additional time to complete such disposition and receives written approval from the Committee for such disposition within a specified period of time.

(e) *Receiving at dehydrator.* Notwithstanding paragraph (b) (1) of this section, any handler may arrange with the

inspection service for the receiving of prunes at a dehydrator's premises designated as such handler's inspection station and for the incoming inspection and certification to be based on samples of prunes drawn as prune plums and dehydrated in the same manner as the prunes to which they are referable. Where such arrangement is acceptable to the Committee as permitting the inspection and certification of the prunes to be comparable to an inspection and certification when based on samples drawn as prunes, such certification shall be acceptable for the purposes of this section if the inspector further certifies that the dehydration process of the prunes being certified resulted in prunes eligible to be received under the terms and conditions of this part.

It is further found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: (1) It is imperative that the procedures with respect to receiving of prunes at dehydrator premises should be available to handlers as soon as possible; (2) the 1968-69 crop year began August 1, 1968, 1968 crop prune plums are now being delivered to dehydrators for dehydrating, and handlers should soon begin receiving 1968 crop prunes; (3) this action relieves restrictions on handlers; and (4) postponing the effective time of this action beyond the date of publication in the FEDERAL REGISTER would serve no useful purpose.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated August 16, 1968, to become effective upon publication in the FEDERAL REGISTER.

PAUL A. NICHOLSON,
Deputy Director,
Fruit and Vegetable Division.

[F.R. Doc. 68-10029; Filed, Aug. 20, 1968; 8:49 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. H]

PART 208—MEMBERSHIP OF STATE BANKING INSTITUTIONS IN THE FEDERAL RESERVE SYSTEM

Branches

Section 208.122 is revised to read as follows:

§ 208.122 Loan "Production Offices" as branches.

For text of interpretation relating to this subject, see § 250.141 of this subpart.

(12 U.S.C. 248(i). Interprets 12 U.S.C. 36 and 321)

Dated at Washington, D.C., the 14th day of August 1968.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 68-9993; Filed, Aug. 20, 1968;
8:45 a.m.]

PART 250—MISCELLANEOUS INTERPRETATIONS

Operations Subsidiaries

Section 250.141 is revised to read as follows:

§ 250.141 Member bank purchase of stock of operations subsidiaries.

(a) The Board of Governors has re-examined its position that the so-called "stock-purchase prohibition" of section 5136 of the Revised Statutes (12 U.S.C. 24), which is made applicable to member State banks by the 20th paragraph of section 9 of the Federal Reserve Act (12 U.S.C. 335), forbids the purchase by a member bank "for its own account of any shares of stock of any corporation" (the statutory language), except as specifically permitted by provisions of Federal law or as comprised within the concept of "such incidental powers as shall be necessary to carry on the business of banking", referred to in the first sentence of paragraph "Seventh" of R.S. 5136.

(b) In 1966 the Board expressed the view that said incidental powers do not permit member banks to purchase stock of "operations subsidiaries"—that is, organizations designed to serve, in effect, as separately-incorporated departments of the bank, performing, at locations at which the bank is authorized to engage in business, functions that the bank is empowered to perform directly. (See 1966 Federal Reserve Bulletin 1151.)

(c) The Board now considers that the incidental powers clause permits a bank to organize its operations in the manner that it believes best facilitates the performance thereof. One method of organization is through departments; another is through separate incorporation of particular operations. In other words, a wholly owned subsidiary corporation engaged in activities that the bank itself may perform is simply a convenient alternative organizational arrangement.

(d) Reexamination of the apparent purposes and legislative history of the stock-purchase prohibition referred to above has led the Board to conclude that such prohibition should not be interpreted to preclude a member bank from adopting such an organizational arrangement unless its use would be inconsistent with other Federal law, either statutory or judicial.

(e) In view of the relationship between the operation of certain subsidiaries and the branch banking laws, the Board has also reexamined its rulings on what constitutes "money lent" for the purposes of section 5155 of the Revised Statutes (12 U.S.C. 36), which provides that "The term 'branch' . . . shall be held to

include any branch bank, branch office, branch agency, additional office, or any branch place of business . . . at which deposits are received, or checks paid, or money lent."

(f) The Board noted its 1967 interpretation that offices that are open to the public and staffed by employees of the bank who regularly engage in soliciting borrowers, negotiating terms, and processing applications for loans (so-called "loan production offices") constitute branches. (1967 Federal Reserve Bulletin 1334.) The Board also noted that later in that year it considered the question whether a bank holding company may acquire the stock of a so-called "mortgage company" on the basis that the company would be engaged in "furnishing services to or performing services for such bank holding company or its banking subsidiaries" (the so-called "servicing exemption" of section 4(c)(1)(C) of the Bank Holding Company Act; 12 U.S.C. 1843). In concluding affirmatively, the Board stated that "the appropriate test for determining whether the company may be considered as within the servicing exemption is whether the company will perform as principal any banking activities—such as receiving deposits, paying checks, extending credit, conducting a trust department, and the like. In other words, if the mortgage company is to act merely as an adjunct to a bank for the purpose of facilitating the bank's operations, the company may appropriately be considered as within the scope of the servicing exemption." (1967 Federal Reserve Bulletin 1911; 12 CFR 222.122.)

(g) The Board believes that the purposes of the branch banking laws and the servicing exemption are related. Generally, what constitutes a branch does not constitute a servicing organization and, vice versa, an office that only performs servicing functions should not be considered a branch. (See 1958 Federal Reserve Bulletin 431, last paragraph; 12 CFR 222.104(e).) When viewed together, the above-cited interpretations on loan production offices and mortgage companies represent a departure from this principle. In reconsidering the laws involved, the Board has concluded that a test similar to that adopted with respect to the servicing exemption under the Bank Holding Company Act is appropriate for use in determining whether or not what constitutes "money [is] lent" at a particular office, for the purpose of the Federal branch banking laws.

(h) Accordingly, the Board considers that the following activities, individually or collectively, do not constitute the lending of money within the meaning of sec-

¹ In the Board's judgment, the statutory enumeration of three specific functions that establish branch status is not meant to be exclusive but to assure that offices at which any of these functions is performed are regarded as branches by the bank regulatory authorities. In applying the statute the emphasis should be to assure that significant banking functions are made available to the public only at governmentally authorized offices.

tion 5155 of the revised statutes: soliciting loans on behalf of a bank (or a branch thereof), assembling credit information, making property inspections and appraisals, securing title information, preparing applications for loans (including making recommendations with respect to action thereon), soliciting investors to purchase loans from the bank, seeking to have such investors contract with the bank for the servicing of such loans, and other similar agent-type activities. When loans are approved and funds disbursed solely at the main office or a branch of the bank, an office at which only preliminary and servicing steps are taken is not a place where "money [is] lent". Because preliminary and servicing steps of the kinds described do not constitute the performance of significant banking functions of the type that Congress contemplated should be performed only at governmentally approved offices, such office is accordingly not a branch.

(i) To summarize the foregoing, the Board has concluded that, insofar as Federal law is concerned, a member bank may purchase for its own account shares of a corporation to perform, at locations at which the bank is authorized to engage in business, functions that the bank is empowered to perform directly. Also, a member bank may establish and operate, at any location in the United States, a "loan production office" of the type described herein. Such offices may be established and operated by the bank either directly, or indirectly through a wholly-owned subsidiary corporation.

(j) This interpretation supersedes both the Board's 1966 ruling on "operations subsidiaries" and its 1967 ruling on "loan production offices", referred to above.

(12 U.S.C. 248(i). Interprets 12 U.S.C. 24, 36, 321, and 335)

Dated at Washington, D.C., the 14th day of August 1968.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 68-9994; Filed, Aug. 20, 1968;
8:45 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER A—GENERAL

PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

Common Name for Food Fish of the Species *Reinhardtius Hippoglossoides*

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (secs. 403(b), 701(a), 52 Stat. 1047, 1055; 21 U.S.C. 343(b), 371(a)) and delegated to the Commissioner of Food and

Drugs (21 CFR 2.120), the following new section is added to Part 3:

§ 3.70 "Flounder" or "northern flounder" is the common name for food fish of the species *Reinhardtius hippoglossoides*.

(a) The food fish commonly known as "halibut" is a member of the species *Hippoglossus hippoglossus* (caught in the Atlantic Ocean) or the species *Hippoglossus stenolepis* (caught in the Pacific Ocean). The name "Greenland halibut" has been accepted in the scientific community as the name for food fish of the species *Reinhardtius hippoglossoides*, which is a variety of the fish commonly known as flounder. For this reason the Food and Drug Administration in the past has not objected to the use of the name "Greenland halibut" in the labeling of this species of fish. There is now, however, sufficient information available to the Administration to show that the ordinary individual who prefers the true, and more expensive, halibut may purchase fish labeled as "Greenland halibut" under the impression that it is a kind of halibut, which is not the case.

(b) The Food and Drug Administration therefore concludes that the food fish of the species *Reinhardtius hippoglossoides* labeled as "Greenland halibut" or with any other name which includes the word "halibut" is misbranded within the meaning of section 403(b) of the Federal Food, Drug, and Cosmetic Act. The labeling of such fish shall bear either the name "flounder" or, since the species is caught only in circumpolar waters, the name "northern flounder."

(c) The Food and Drug Administration will consider appropriate regulatory action regarding such misbranded fish shipped in interstate commerce if the act of misbranding the fish occurs after 90 days following the date of publication of this section in the FEDERAL REGISTER. (Secs. 403(b), 701(a), 52 Stat. 1047, 1055; 21 U.S.C. 343(b), 371(a))

Dated: August 13, 1968.

HERBERT L. LEY, JR.,
Commissioner of Food and Drugs.

[F.R. Doc. 68-10070; Filed, Aug. 20, 1968; 8:51 a.m.]

SUBCHAPTER B—FOOD AND FOOD PRODUCTS PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

S-Ethyl Dipropylthiocarbamate

A petition (PP 8F0643) was filed with the Food and Drug Administration by the Stauffer Chemical Co., Richmond, Calif. 94800, proposing the establishment of tolerances for negligible residues of the herbicide S-ethyl dipropylthiocarbamate in or on the raw agricultural commodities almond hulls, asparagus, castor beans, citrus, cotton forage, cottonseed, curcubits, flaxseed, forage grasses, forage legumes, fruiting vegetables, grain crops,

leafy vegetables, nuts, pineapples, root crop vegetables, safflower seed, seed and pod vegetables, small fruits, strawberries, and sunflower seed at 0.1 part per million.

Subsequently the petitioner amended the petition by withdrawing the request for a tolerance regarding curcubits.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which the tolerances are being established.

Based on consideration given the data submitted in the petition, and other relevant material, the Commissioner of Food and Drugs concludes that the tolerances established by this order will protect the public health. Therefore, by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and delegated to the Commissioner (21 CFR 2.120), Part 120 is amended by adding to Subpart C the following new section:

§ 120.117 S-Ethyl dipropylthiocarbamate; tolerances for residues.

Tolerances are established for negligible residues of the herbicide S-ethyl dipropylthiocarbamate in or on the raw agricultural commodities almond hulls, asparagus, castor beans, citrus, cotton forage, cottonseed, flaxseed, forage grasses, forage legumes, fruiting vegetables, grain crops, leafy vegetables, nuts, pineapples, root crop vegetables, safflower seed, seed and pod vegetables, small fruits, strawberries, and sunflower seed at 0.1 part per million.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: August 12, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-10071; Filed, Aug. 20, 1968; 8:51 a.m.]

SUBCHAPTER C—DRUGS

PART 166—DEPRESSANT AND STIMULANT DRUGS; DEFINITIONS, PROCEDURAL AND INTERPRETIVE REGULATIONS

Listing of Additional Drugs as Drugs Subject to Control

In the matter of listing of synthesized tetrahydrocannabinols as "depressant or stimulant" drugs within the meaning of section 201(v) of the Federal Food, Drug, and Cosmetic Act because such drugs have a potential for abuse because of their hallucinogenic effects:

No comments were received on the proposal in the above-identified matter published in the FEDERAL REGISTER of July 9, 1968 (33 F.R. 9833), and it is concluded that the amendment should be adopted as proposed.

Therefore, pursuant to the provisions of the Federal Food, Drug and Cosmetic Act (secs. 201(v), 511, 701, 52 Stat. 1055, as amended, 79 Stat. 227 et seq.; 21 U.S.C. 321(v), 360a, 371) and under the authority vested in the Attorney General by Reorganization Plan No. 1 of 1968 (33 F.R. 5611), and redelegated to the Director, Bureau of Narcotics and Dangerous Drugs (28 C.F.R. 0.200), Section 166.3(c)(3) is amended by alphabetically inserting in the list of drugs, new items, as follows:

§ 166.3 Listing of drugs defined in section 201(v) of the Act.

* * * * *
(c) * * * * *
(3) * * * * *

Synthetic equivalents of the substances contained in the plant, or in the resinous extracts of *Cannabis* sp. and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following:

Δ¹ cis or trans tetrahydrocannabinol, and their optical isomers,
Δ⁸ cis or trans tetrahydrocannabinol, and their optical isomers,
Δ⁹ tetrahydrocannabinol, and its optical isomers.

(Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions are covered.)

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Chief Counsel, Bureau of Narcotics and Dangerous Drugs, Department of Justice, Room 613, 633 Indiana Avenue, Washington, D.C. 20226, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for objections. If a hearing is requested, the objections must state the issues for the hearing, and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in six copies.

Effective date. This order shall become effective 31 days from the date of its publication in the *FEDERAL REGISTER*, except as to any provision that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the *FEDERAL REGISTER*.

Dated: August 13, 1968.

JOHN E. INGERSOLL,
Director, Bureau of Narcotics
and Dangerous Drugs.

[F.R. Doc. 68-10040; Filed, Aug. 20, 1968;
8:49 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Subtitle A—Office of the Secretary,
Department of Housing and Urban
Development

PART 3—RENEWAL ASSISTANCE

Subpart A—Urban Renewal Projects,
Demolition Programs, and Code
Enforcement Programs

The heading of Part 3 is revised as set forth above and Subpart A of Part 3 is added as follows:

Subpart A—Urban Renewal Projects, Demolition
Programs, and Code Enforcement Programs

- Sec.
- 3.1 Definitions.
 - 3.2 General policies and procedures.
 - 3.3 Urban renewal projects.
 - 3.4 Code enforcement programs.
 - 3.5 Demolition programs.
 - 3.6 Rehabilitation grants.
 - 3.7 Community renewal programs.
 - 3.8 Applications; information.

AUTHORITY: The provisions of this Subpart A issued under sec. 7(d), Public Law 89-174, 79 Stat. 670, 42 U.S.C. 3535(d); sec. C, 2, of Secretary's delegation to Assistant Secretary for Renewal and Housing Assistance effective July 1, 1966 (31 F.R. 8964, June 29, 1966), as amended effective August 5, 1967 (32 F.R. 11390, Aug. 5, 1967). The heading of Part 3 is revised to read as set forth above.

Subpart A—Urban Renewal Projects,
Demolition Programs, and Code
Enforcement Programs

§ 3.1 Definitions.

(a) Title I of the Housing Act of 1949, 63 Stat. 414 (1949), as amended, 42 U.S.C. section 1450 et seq., authorizes the Department of Housing and Urban Development to finance the undertaking of local programs designed for the elimination and prevention of slums and blight, including slum clearance and urban renewal, rehabilitation, code enforcement, and demolition.

(b) The terms used herein shall have the meanings attributed to them in section 110 of the Housing Act of 1949, as amended, 42 U.S.C. section 1460.

§ 3.2 General policies and procedures.

Title I of the Housing Act of 1949, as amended, authorizes the Department of Housing and Urban Development to pro-

vide localities with Federal technical and financial assistance through a number of programs designed for the elimination and prevention of slums and blight and the removal of factors that create slums and blighting conditions. Applications for grants, loans, and advances should be filed with the Regional Office which serves the locality seeking assistance. The Regional Offices of the Department of Housing and Urban Development provide forms for making application for Federal aid, furnish information and assistance, receive completed applications, and notify recipients of the approval of such applications.

§ 3.3 Urban renewal projects.

Urban renewal projects are planned and executed by local public agencies which, depending on State law, may be separate urban renewal agencies, local housing authorities, or departments of city governments. To qualify for Federal assistance to an urban renewal project, a community must adopt, and have certified by the Secretary of Housing and Urban Development, a Workable Program for Community Improvement designed to eliminate blight and prevent its recurrence. In addition, a local public agency must make a showing that there is a feasible method for the temporary relocation of the individuals and families displaced from the urban renewal area and must assure the Secretary that there are, or are being provided, sufficient units of decent, safe, and sanitary relocation housing in comparable areas at reasonable rents. The policies and procedures applicable to urban renewal projects are set forth in the Urban Renewal Handbook, RHA 7200 through RHA 7228.

(a) An urban renewal project assisted under Title I may include, in accordance with the urban renewal plan for the area, acquisition of land, site clearance, installation of streets, utilities, parks, playgrounds, and other improvements, restoration and relocation of structures of historic or architectural value, carrying out plans for programs of code enforcement, voluntary repair and rehabilitation of buildings or other improvements, and disposition of acquired land.

(b) The Secretary is authorized to make relocation grants to local public agencies to reimburse them for payments to individuals, families, and businesses for their reasonable and necessary moving expenses, for any direct loss of property resulting from their displacement from an urban renewal area and for related payments. The regulations governing such payments may be found at 24 CFR 3.100 et seq.

(c) The Secretary is authorized to make an advance of funds to a local public agency (1) for survey and planning work for the project, (2) to determine the feasibility of the undertaking of a project, and (3) for a General Neighborhood Renewal Plan outlining the urban renewal activities proposed in an area which is of such size that the activities may have to be initiated and carried out in stages.

(d) The Secretary is authorized to make a temporary loan to be used by the local public agency as working capital in acquiring real estate, clearing the site, and preparing the area for redevelopment or conservation and rehabilitation.

(e) The Secretary is authorized to make a definitive loan to the local public agency, for a period not exceeding 40 years, when project land is leased rather than sold to a redeveloper. A definitive loan must be amortized from the rental income derived from the land.

(f) The Secretary is authorized to make a project capital grant to a local public agency not exceeding two-thirds of the Net Project Cost except that a project capital grant may be made not exceeding three-fourths of the Net Project Cost (1) where the project is located in a municipality with a population of fifty thousand or less, (2) where the project is situated in an officially designated redevelopment area, or (3) where the Net Project Cost excludes the costs of survey, planning, administrative, legal and certain other expenses.

(g) The local contribution toward the cost of the project may be made in the form of cash or noncash grants-in-aid, such as donations of land, demolition and removal work, project improvements, historic preservation activities, certain expenditures by colleges, universities, and hospitals, or public facilities that benefit the project.

(h) Application for financial assistance for an urban renewal project may be made by local public agencies on Form HUD-6100, Survey and Planning Application, and Form HUD-612, Application for Loan and Grant.

§ 3.4 Code enforcement programs.

The Secretary is authorized to make a grant of not exceeding two-thirds (or three-fourths in the case of a municipality having a population of 50,000 or less) of the cost of carrying out programs of concentrated code enforcement in deteriorated or deteriorating areas in which such enforcement, together with those public improvements to be provided by the locality, may be expected to arrest the decline of the area. Eligible code enforcement activities may include the provision and repair of necessary streets, curbs, sidewalks, street lighting, tree planting, and similar improvements within such areas. Prior to execution of a contract for a code enforcement grant, the municipality must have a workable program for community improvement currently in effect, must assure that any individuals or families displaced by the code enforcement activities are offered decent, safe, and sanitary housing within their means, and must provide relocation assistance and relocation payments on the same basis as in urban renewal project activities. The policies and procedures applicable to code enforcement programs are set forth in the Code Enforcement Grant Handbook, RHA 7250. Application for financial assistance for a code enforcement grant may be made by cities, other municipalities, and counties on Form HUD-6170, Application for

Code Enforcement Grant, and Form HUD-6170A, Application for Code Enforcement Grant—Area Data.

§ 3.5 Demolition programs.

The Secretary is authorized to make a grant of not exceeding two-thirds of the cost of demolishing structures which under State or local law have been determined to be structurally unsound or unfit for human habitation. If the structures to be demolished are not in an urban renewal area, (a) the locality involved must have a currently certified workable program for community improvement and the structures to be demolished must constitute a serious hazard to the public health or welfare, (b) the demolition must be on a planned neighborhood basis and further the overall renewal objectives of the locality, (c) a program of enforcement of existing local housing and related codes must be currently underway in the locality, and (d) the governing body of the municipality must determine that other available legal procedures to secure remedial action by the owners of the structures involved have been exhausted and that demolition by governmental action is required. The locality will be obligated to assure that any individuals or families displaced as a result of the federally assisted demolition are offered decent, safe, and sanitary housing. Relocation payments must be made available on the same ministerial basis as in urban renewal project activities. The policies and procedures applicable to the demolition program are set forth in the Demolition Grant Handbook, RHA 7300. Cities, other municipalities, and counties seeking financial assistance under this program may obtain information and forms from the Regional Office which serves the locality seeking assistance.

§ 3.6 Rehabilitation grants.

The Secretary may authorize a local public agency to make grants (and an urban renewal or code enforcement project may include the making of such grants) to individuals and families owning and occupying structures in urban renewal areas or in areas of concentrated code enforcement to cover the cost of repairs and improvements necessary to make such structures conform to public standards for decent, safe, and sanitary housing as required by applicable codes or other requirements of the urban renewal plan for the area. For an individual or family whose annual income does not exceed \$3,000, a grant is limited to the lesser of \$1,500 or the actual cost of the repairs and improvements involved. Where the annual income of the individual or family exceeds \$3,000, the amount of the grant is further limited to an amount not exceeding that portion of the cost of repairs and improvements which cannot be paid for with any available loan that can be amortized as part of the applicant's monthly housing expense without requiring that expense to exceed 25 percent of the applicant's monthly income. Local public bodies may include requests for rehabilitation grant

assistance in their applications for assistance for an urban renewal or code enforcement project. Individuals eligible for financial assistance under this program may request and file Form HUD-6260 with the local public body authorized to carry out an urban renewal or code enforcement project. The policies and procedures applicable to rehabilitation grants are set forth in the Urban Renewal Handbook, RHA 7210.

§ 3.7 Community renewal programs.

(a) The Secretary is authorized to make grants not exceeding two-thirds of the total cost of preparing a community renewal program including (1) identification of blighted or deteriorating areas in the community, (2) measurement of the nature and degree of blight and blighting factors in the areas, (3) determination of the financial, relocation and other resources needed to renew the areas, (4) identification of potential project areas and types of urban renewal action contemplated, and (5) scheduling of urban renewal activities.

(b) Application for financial assistance under this program may be made by a local public body authorized to perform the necessary planning work on Form HUD-6400, Application for Community Renewal Program Grant. The policies and procedures applicable to community renewal programs are set forth in the Community Renewal Program Handbook, RHA 7230.

§ 3.8 Applications; information.

(a) A local public agency applying for financial assistance should submit its application and all related documents to the Regional Administrator in the appropriate HUD Regional Office. Application forms and other forms, procedures, policy statements, and materials issued by HUD for the use or guidance of local public agencies may be obtained through such offices as follows:

Region I: 346 Broadway, New York, N.Y. 10013 (Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, Vermont).

Region II: Widener Building, 1339 Chestnut Street, Philadelphia, Pa. 19107 (Delaware, District of Columbia, Maryland, New Jersey, Pennsylvania, Virginia, West Virginia).

Region III: Peachtree-Seventh Building, Atlanta, Ga. 30323 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee).

Region IV: 360 North Michigan Avenue, Chicago, Ill. 60601 (Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin).

Region V: Federal Office Building, 819 Taylor Street, Fort Worth, Tex. 76102 (Arkansas, Colorado, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, Texas).

Region VI: 450 Golden Gate Avenue, Post Office Box 36003, San Francisco, Calif. 94102 (Alaska, Arizona, California, Guam, Hawaii, Idaho, Montana, Nevada, Oregon, Utah, Washington, Wyoming).

Region VII: Post Office Box 3869 GPO San Juan, P.R. 00936 (Puerto Rico and Virgin Islands).

(b) The Urban Renewal Handbook, which sets out policies and requirements for Local Public Agencies, may be purchased from the Superintendent of Docu-

ments, U.S. Government Printing Office, Washington, D.C. 20401 and is available for use in the HUD Information Center, 451 Seventh Street SW., Washington, D.C. 20410, and in the information centers of the various HUD Regional Offices.

(c) Also available in each of the information centers are (1) Community Renewal Program Handbook, (2) Code Enforcement Grant Handbook, and (3) Demolition Grant Handbook.

Effective date. Date of publication in the FEDERAL REGISTER.

ROBERT E. MCCABE,
Acting Assistant Secretary for
Renewal and Housing Assistance.

[F.R. Doc. 68-10034; Filed, Aug. 20, 1968; 8:49 a.m.]

Title 29—LABOR

Chapter X—National Mediation Board

PART 1200—MINIMUM STANDARDS OF CONDUCT FOR EMPLOYEES OF THE NATIONAL MEDIATION BOARD

Subpart B—Ethical Conduct and Responsibilities of Employees

OUTSIDE EMPLOYMENT AND OTHER ACTIVITY

Pursuant to and in conformity with sections 201 through 209 of title 18 of the United States Code, Executive Order 11222 of May 8, 1965 (30 F.R. 6469), and Title 5, Chapter I, Part 735 of the Code of Federal Regulations, Part 1200 is amended as follows:

Section 1200.735-22 of the National Mediation Board's Rules, in accordance with Executive Order 11408, dated April 25, 1968, is amended by revising paragraph (c) and revoking paragraph (d) as follows:

§ 1200.735-22 Outside employment and other activity.

(c) Employees are encouraged to engage in teaching, lecturing and writing that is not prohibited by law, the Executive order, or the Board regulations. However, an employee shall not, either for or without compensation, engage in teaching, lecturing, or writing, including teaching, lecturing, or writing for the purpose of the special preparation of a person or class of persons for an examination of the Commission or Board of Examiners for the Foreign Service, that depends on information obtained as a result of his Government employment, except when that information has been made available to the general public or will be made available on request, or when the Board gives written authorization for use of nonpublic information on the basis that the use is in the public interest. In addition, an employee who is a Presidential appointee covered by section 401(a) of Executive Order 11222 shall not receive compensation or anything of monetary value for any consultation, lecture, discussion, writing, or

appearance, the subject matter of which is devoted substantially to the responsibilities, programs, or operations of the Board, or which draws substantially on official data or ideas which have not become part of the body of public information.

(d) [Revoked.]

These amendments were approved by the Civil Service Commission on May 21, 1968, and are effective upon publication in the FEDERAL REGISTER.

[SEAL]

THOMAS A. TRACY,
Executive Secretary.

[F.R. Doc. 68-10041; Filed, Aug. 20, 1968;
8:50 a.m.]

Title 30—MINERAL RESOURCES

Chapter I—Bureau of Mines, Department of the Interior

[Bureau of Mines Schedule 19B]

PART 12—SUPPLIED-AIR RESPIRATORS

Procedures for Investigation, Tests, Certification, Approval, and Fees

On pages 20730-20732 of the FEDERAL REGISTER of December 22, 1967, there was published a notice and text of a proposed amendment of Part 12 of Chapter I, Title 30, Code of Federal Regulations prescribing requirements for investigating, testing, and certifying and approving Supplied-Air Respirators. A few minor errors were subsequently found in the document which were corrected on page 2448 of the FEDERAL REGISTER of February 1, 1968.

Interested persons were given 30 days after February 1, 1968, the date of publication of the corrections of the notice and text, within which to submit written comments, suggestions, or objections concerning the proposed regulations. Comments and suggestions were received from several sources and given careful consideration.

Part 12 of Chapter I, Title 30, Code of Federal Regulations, is amended as follows and shall be effective upon publication in the FEDERAL REGISTER.

EARL T. HAYES,
Acting Director, Bureau of Mines.

Part 12 of Chapter I, Title 30, Code of Federal Regulations, is amended as follows:

1. A new paragraph (e) is added to § 12.2 as follows:

§ 12.2 Types of supplied-air respirators.

(e) *Types A, AE, B, BE, C, or CE respirator in combination with another type of respiratory protective device.* (1) A respirator of this type may consist of a supplied-air respirator in combination with a self-contained breathing apparatus or with an air-purifying respirator such as a gas mask, dispersoid respirator, or chemical-cartridge respirator. A combination supplied-air respirator and self-contained breathing apparatus which meets the applicable requirements of this

part and of Part 11 of this chapter may be worn in atmospheres immediately harmful to life. A combination supplied-air respirator and air-purifying respirator which meets the requirements of this part and of other applicable parts will not be approved to be worn in atmospheres which exceed the limitations prescribed by the Bureau for use of the air-purifying respirator.

(2) Respiratory protective devices combining the characteristics of a supplied-air respirator and another type of respiratory protective device shall meet the requirements of this part as well as the requirements of any other part which is applicable to the total purpose of the device for which approval is sought. The approval, if granted, will be issued under the other applicable part(s). The Bureau will specify, in the certificate of approval and on the approval label, the limitations which shall apply to the use of the combination respiratory protective device.

2. Paragraphs (a), (b), (d), (e), (f), (g), and (h), of § 12.4 are amended to read as follows and paragraph (i) is revoked:

§ 12.4 Conditions under which supplied-air respirators will be tested.

(a) *Consultation.* By appointment, applicants or their representatives may visit the Bureau's Health and Safety Research and Testing Center, 4800 Forbes Avenue, Pittsburgh, Pa. 15213 to discuss with qualified Bureau personnel proposed supplied-air respirators to be submitted in accordance with the regulations of this part. No charge is made for such consultation and no written report thereof will be made to the applicant.

(b) *Application.* No investigating or testing (including retesting of a respirator that has been previously tested and disapproved) will be undertaken hereunder by the Bureau except pursuant to a written application, in duplicate, accompanied by all drawings, specifications, descriptions, and related matters and also a check, bank draft, or money order, payable to the Bureau of Mines to cover the fees. The application and all related matters and correspondence concerning it shall be addressed to the Bureau of Mines, Health and Safety Research and Testing Center, 4800 Forbes Avenue, Pittsburgh, Pa. 15213, Attention: Approval and Testing.

(d) *Drawings and specifications required.* (1) Drawings, specifications, and descriptions shall be adequate in detail to identify fully all components and sub-assemblies and the assembled respirator. All drawings shall include title, number, and date; any revision dates shall be shown on the drawings and the purpose of each revision shall be shown on the drawings or described in an attachment to the drawing to which it applies.

(2) Duplicate sets of detailed drawings and specifications shall be a part of the application. These shall fully describe the construction, dimensions, composition, materials, finishes, and assembly of all parts of the respirator.

(3) The application shall state that, when tested by the applicant or his testing agency, the respirator has met the pertinent requirements of this part. Two copies of the results of the applicant's inspections and tests shall accompany the application.

(4) The application shall state that the respirator is completely developed and is a finished marketable product.

(5) The application shall describe the function of the respirator and the operation of its parts.

(e) *Control-test requirements.* The application shall state how production items will be tested to maintain quality control of the respirator and its component parts. The Bureau may have its qualified representative(s) inspect the applicant's control-test methods, equipment, and records, and may interview the personnel who conduct the control tests, at all reasonable times.

(f) *Material required for approval testing.* When the Bureau notifies the applicant that the application has been accepted, it will also inform him of the number of complete respirators and extra parts that will be required for testing. All test materials shall be delivered (charges prepaid) to the Bureau of Mines, Health and Safety Research and Testing Center, 4800 Forbes Avenue, Pittsburgh, Pa. 15213, Attention: Approval and Testing.

(g) *Date for conducting tests.* The date of acceptance of an application will determine its order of precedence for investigation and testing. The applicant, if he so specifies, will be notified of the date when tests on his respirator will begin. If a respirator fails to meet any of the requirements, it shall lose its order of precedence. If the application is resubmitted, after the cause of failure has been corrected, it will be treated as a new application.

(h) *Conduct of investigations, tests, and demonstrations.* (1) Prior to the issuance of a certificate of approval, only Bureau personnel, representatives of the applicant, and such other persons as may be mutually agreed upon, may observe the investigations or tests. The Bureau shall hold as confidential, and shall not disclose, principles or patentable features prior to certification. It shall not disclose any analyses, nor any details of the applicant's drawings, specifications, and related material. The conduct of all such investigations, tests, and demonstrations shall be under the sole direction and control of the Bureau. Any other persons shall be present only as observers or as required under subparagraph (3) of this paragraph.

(2) After the issuance of a certificate of approval, the Bureau may conduct such public demonstrations and tests of the approved device as it deems appropriate.

(3) When requested by the Bureau, the applicant shall provide assistance in assembling or disassembling the respirator and its components, subassemblies or assemblies for testing, and in operating the respirator during the tests.

(4) Applicants shall be responsible for their representatives present during tests and for observers admitted at their request and shall save the Government harmless in the event of damage to applicant's property or injury to applicant's representatives or to observers admitted at their request.

(i) [Revoked]

§ 12.5 [Amended]

3. In Table 1, Air-Supply-Line Requirements and Tests, under paragraph (f) of § 12.5, the Air Flow requirements for Type C supplied-air respirators are amended to read as follows:

The air-supply hose with air regulating valve or orifice shall permit a flow of not less than 115 liters (4 cubic feet) per minute to tight-fitting and 170 liters (6 cubic feet) per minute to loose-fitting respiratory-inlet coverings through the maximum length of hose for which approval is granted and at the minimum specified air-supply pressure. The maximum flow shall not exceed 425 liters (15 cubic feet) per minute at the maximum specified air-supply pressure with the minimum length of hose for which approval is granted.

The air-supply hose, detachable coupling, and demand valve of the demand class or pressure-demand valve of the pressure-demand class for Type C supplied-air respirators, demand and pressure-demand classes, shall be capable of delivering respirable air at a rate of not less than 115 liters (4 cubic feet) per minute to the respiratory-inlet covering at an inhalation resistance not exceeding 50 millimeters (2 inches) of water-column height measured at the respiratory-inlet covering with any combination of air-supply pressure and length of hose within the applicant's specified range of pressure and hose length. The air-flow rate and resistance to inhalation shall be measured while the demand or pressure-demand valve is actuated 20 times per minute by a source of intermittent suction. The maximum rate of flow to the respiratory-inlet covering shall not exceed 425 liters (15 cubic feet) per minute under the specified operating conditions.

4. In Table 1, Air Supply-Line Requirements and Tests, under paragraph (f) of § 12.5, the Air-regulating valve requirements for Type C supplied-air respirators are amended to read as follows:

If an air-regulating valve is provided, it shall be so designed that it will remain at a specific adjustment, which will not be affected by the ordinary movement of the wearer. The friction developed between the packing and a valve stem will not be considered as meeting this requirement.

The valve must be so constructed that the air supply with the maximum length of hose and at the minimum specified air-supply pressure will not be less than 115 liters (4 cubic feet) of air per minute to tight-fitting and 170 liters (6 cubic feet) of air per minute to loose-fitting respiratory inlet coverings for any adjustment of the valve.

If a demand or pressure-demand valve replaces the air-regulating valve, it shall be connected to the air supply at the maximum air pressure for which approval is sought by means of the minimum length of air-supply hose for which approval is sought. The outlet of the demand or pressure-demand valve shall be connected to a source of intermittent suction so that the demand or pressure-demand valve is actuated approximately 20 times per minute for a total of 100,000 inhalations. To expedite this test, the rate of

actuation may be increased if mutually agreeable to the applicant and the Bureau. During this test the valve shall function without failure and without excessive wear of the moving parts.

The demand or pressure-demand valve shall not be damaged in any way when subjected at the outlet to a pressure or suction of 10 inches of water gage for 2 minutes.

5. Subparagraph (2) of paragraph (j), Requirements and tests for complete respirator, of § 12.5, Requirements for Bureau of Mines approval, is amended to read as follows:

(2) *Protection against gases or vapors (direct leakage and man tests).* Direct leakage and man tests will be made in duplicate. A man will enter a chamber containing a gas or vapor and put on (wear) the respirator to be tested. Gas-tight goggles will be used where necessary to protect the eyes against irritation. The gas or vapor used for this test, the arrangement of the hose, and the air supply will be in accordance with specific directions given in the following subdivisions. After the respirator is properly fitted the man will spend 10 minutes in work to provide observations on freedom of the device from leakage. The freedom and comfort allowed the wearer will also be considered. The time will be divided as follows:

Five minutes—Walking, turning head, dipping chin.

Five minutes—Pumping air with a tire pump into a 1-cubic-foot cylinder to a pressure of 25 pounds per square inch or equivalent work.

To meet the requirements of this test no odor of the test gas or vapor shall be detected in the air breathed, and undue discomfort and encumbrance shall not be experienced because of the fit, air delivery, or other features of the respirators.

(i) *Types A and AE supplied-air respirators.* (a) The complete respirator will be worn in a chamber containing 1 ± 0.25 percent ammonia in air. The blower, intake of the hose, and not more than 25 percent of the hose length shall be located in ammonia-free air.

(b) The man in the ammonia atmosphere will draw his inspired air through the hose, connections, and all parts of the air device by means of his lungs alone (blower not operated).

(c) The 10-minute work test will be repeated with the blower in operation at any practical speed up to 50 revolutions of the crank per minute.

(ii) *Types B and BE supplied-air respirators.* (a) The complete respirator will be worn in a chamber containing 0.1 ± 0.025 percent iso-amyl acetate vapor. The intake of the hose, and not more than 25 percent of the hose length shall be located in iso-amyl acetate free air.

(b) The man in the chamber will draw his inspired air through the hose and connections by means of his lungs alone.

(iii) *Types C, continuous-flow class, and CE supplied-air respirators.* The complete respirator will be worn in a chamber containing 0.1 ± 0.025 percent iso-amyl acetate vapor. The intake of the hose shall be connected to suitable source of respirable air. Not more than

25 percent of the hose length shall be located outside the chamber. The minimum flow of air required to maintain a positive pressure in the respiratory-inlet covering throughout the entire breathing cycle will be supplied to the wearer, provided that this flow is not less than 115 liters per minute for tight-fitting and 170 liters per minute for loose-fitting respiratory inlet-coverings. The test will then be repeated with the maximum rate of flow attainable within the specified operating pressures.

(iv) *Type C supplied-air respirator, demand and pressure-demand classes.* The complete respirator will be worn in a chamber containing 0.1 ± 0.025 percent iso-amyl acetate vapor. The intake of the hose shall be connected to a suitable source of respirable air. Not more than 25 percent of the hose length shall be located outside the chamber. The test will be made at the minimum pressure with the maximum hose length and will be repeated at the maximum pressure with the minimum hose length.

6. New paragraphs (k) and (l) are added to § 12.5 as follows:

(k) *Breathing gas requirements.* A supplied-air respirator will be approved for use only when it supplies respirable air to the wearer. Compressed breathing air shall meet the most recent requirements of Compressed Gas Association Specification G7.1 for Type I, Class D gaseous air. Breathing air shall contain less than 5 milligrams per cubic meter of oil vapor or oil particulates.

(l) *Requirements for combination supplied-air respirator and another type of respiratory protective device.* Respiratory protective devices combining the characteristics of a supplied-air respirator and another type of respiratory protective device shall meet the requirements of this part as well as the requirements of any other part which is applicable to the total purpose of the device for which approval is sought. The Bureau will specify, in the certificate of approval and on the approval label, the limitations which shall apply to the use of the combination device.

7. Section 12.7 is amended as follows:
§ 12.7 Notification of approval or disapproval.

(a) Certificates of approval will be issued hereunder only for completely assembled respirators, and not for component parts or subassemblies.

(b) Upon completion of the investigation and testing of a respirator, the Bureau will issue to the applicant either a certificate of approval or a written notice of disapproval. Informal notifications of approval will not be issued. If a certificate of approval is issued, no test data or detailed results will accompany it. If a notice of disapproval is issued, it will be accompanied by any available information about the defects, with a view to possible correction. The Bureau will not disclose, except to the applicant, any information on a respirator upon which a notice of disapproval has been issued.

(c) A certificate of approval will be accompanied by a list of the drawings and specifications covering the details of

design and construction of the respirator. The applicant shall keep exact duplicates of the drawings and specifications submitted to the Bureau. The approved drawings and specifications shall be adhered to exactly in commercial production of the certified respirator.

8. Section 12.8 is amended as follows:

§ 12.8 Approval markings.

(a) A certificate of approval will be accompanied by photograph(s) of design(s) of approval label(s). Legible reproductions of the entire label(s) shall be attached permanently to each respirator. When, in the Bureau's opinion, there is insufficient space, or some other valid reason, the label(s) may be reproduced on the respirator instructions. The label(s) will bear the seal of the Bureau of Mines; the approval number; the manufacturer's name and address; any limitation on duration of use for which the respirator is approved, and the limitations or conditions for safe and efficient use of the respirator.

(b) The Bureau will notify the applicant if any additional label(s) or marking(s) will be required on subassemblies and parts.

(c) Full-scale reproductions of approval labels and markings and a sketch or description of their method of application and position on the respirator shall be submitted to the Bureau for approval before final adoption.

(d) Use of the Bureau's approval label obligates the applicant to maintain the quality of the respirator and to guarantee that it is manufactured according to the drawings and specifications upon which the certificate of approval is based. The approval label shall be used only by the applicant.

9. Section 12.9 is amended to read as follows:

§ 12.9 Material required for Bureau of Mines record.

(a) The Bureau will retain, as part of the permanent record of each investigation, a complete respirator and any component thereof that has been tested and certified. Material not required for record will be returned to the applicant at his request and expense.

(b) As soon as a certified respirator is commercially available, the applicant shall deliver one complete unit free of charge to the Bureau of Mines, Health and Safety Research and Testing Center, 4800 Forbes Avenue, Pittsburgh, Pa. 15213, Attention: Approval and Testing.

10. Section 12.10 is amended to read as follows:

§ 12.10 Changes subsequent to approval.

If an applicant desires to change any feature of a certified respirator, he shall first obtain the Bureau's approval of the change, pursuant to the following procedure:

(a) Application shall be made as for an original certificate of approval, requesting that the existing certification be extended to cover the proposed

change(s). The application shall be accompanied by drawings, specifications, and related material in full detail.

(b) The application and accompanying material will be examined by the Bureau to determine whether testing will be required. The Bureau will inform the applicant of the fee required for any testing involved.

(c) If the proposed modification meets the requirements of this part, a formal extension of certification will be issued, accompanied by a list of new and revised drawings and specifications covering the change(s).

[F.R. Doc. 68-10023; Filed, Aug. 20, 1968; 8:48 a.m.]

Title 32—NATIONAL DEFENSE

Chapter V—Department of the Army

SUBCHAPTER C—MILITARY EDUCATION

PART 543—PROMOTION OF RIFLE PRACTICE

National Board for the Promotion of Rifle Practice and Office of Director of Civilian Marksmanship

Section 543.4 is revised to read as follows:

§ 543.4 National Board for the Promotion of Rifle Practice and Office of the Director of Civilian Marksmanship.

(a) *General.* Sections 4307 through 4313, title 10, United States Code, provide that the Secretary of the Army will promote marksmanship training with rifled arms among able-bodied citizens of the United States and, within the limits of available funds, will provide citizens outside the active services of the Armed Forces of the United States with means whereby they may become proficient in the use of such arms. The Secretary of the Army fulfills these requirements through the Civilian Marksmanship Program, based on the recommendations of the National Board for the Promotion of Rifle Practice and implemented by the Office of the Director of Civilian Marksmanship. The president of the National Board for the Promotion of Rifle Practice is designated by, and acts for, the Secretary of the Army on Board matters, including approval of expenditures.

(b) *Mission.* Under the authority set forth in paragraph (a) of this section, the principal mission of the National Board for the Promotion of Rifle Practice is to act as an advisory body to the Secretary of the Army in connection with the Army's program to promote practice in the use of rifled arms. In fulfilling this mission, the National Board for the Promotion of Rifle Practice is charged with encouraging and supporting small arms target practice throughout the United States and the Commonwealth of Puerto Rico, particularly to the end that those individuals who may be called upon to

serve in the Armed Forces of the United States will be qualified as marksmen.

(c) *Composition.* (1) The National Board for the Promotion of Rifle Practice will consist of not less than 21 members nor more than 25 members, to be appointed by the Secretary of the Army. A member of the Director of Civilian Marksmanship staff will be designated to function as Executive Officer, National Board for the Promotion of Rifle Practice. The military representation on the Board shall be comprised of no more than seven members from the Army, and one each from the U.S. Marine Corps, U.S. Navy, U.S. Air Force, U.S. Coast Guard, National Guard Bureau, and a Reserve component of the Armed Forces other than the National Guard. Civilian representation will include one representative from the Department of the Interior, the Department of the Treasury, the Department of Justice, and not more than nine individuals representing the country-at-large.

(2) The tenure of Board members is 3 years, with the tenure of one-third of the members terminating annually. Members may be appointed for only two successive terms, in addition to serving the unexpired term of an outgoing member; however, membership on the Board for two successive terms is not a bar to re-nomination at a subsequent date.

(3) Representation of each agency will be by nomination from the agency itself. Selection for country-at-large membership will be made from nomination by such sources as the president of the Board may direct.

(d) *Members to serve without compensation.* Members will serve without compensation, other than reimbursement of travel expenses.

(e) *Executive Committee.* An Executive Committee, consisting of not less than three members of the Board, will be appointed by the president of the Board, who shall designate the chairman. The Executive Committee, during such times as the Board is not in session, will act for the Board on all matters referred to it and its action, if approved by the president, has the effect of action by the full Board.

(f) *Budget Committee.* (1) A Budget Committee, consisting of not less than three members, will be appointed by the President of the Board, who shall designate the chairman.

(2) The Budget Committee will advise the Director of Civilian Marksmanship in the preparation and defense of budget requests and as otherwise required concerning budgetary matters pertaining to activities of the Director of Civilian Marksmanship.

(g) *Expenditure projects.* Expenditures of funds will be made only in accordance with expenditure projects prepared by the Director of Civilian Marksmanship with the advice of the Budget Committee and approved by the President of the Board.

(h) *Logistical support.* The Army will provide, within the limits of available funds and subject to applicable regulations, logistical support for the program.

(i) *Meetings.* The National Board for the Promotion of Rifle Practice will meet at the call of the president, not less often than once annually, for the transaction of such business as may properly come before it.

(j) *Office of the Director of Civilian Marksmanship.* (1) *Legislative authority.* Section 4307, title 10, United States Code, authorizes the President to detail an officer of the Army or Marine Corps as Director of Civilian Marksmanship. A civilian employee of the Department of the Army may also serve as Director of Civilian Marksmanship.

(2) *Implementing agency.* The Office of the Director of Civilian Marksmanship is the implementing agency for the Civilian Marksmanship Program.

(3) *Responsibilities of the Director of Civilian Marksmanship.* The Director of Civilian Marksmanship is responsible for the implementation of the Civilian Marksmanship Program as approved by the President, National Board for the Promotion of Rifle Practice, for the Secretary of the Army, including the following functions:

(i) Initiating, developing, coordinating, and recommending appropriate actions on matters pertaining to—

(a) Organization of civilian rifle clubs.

(b) Procedures and policies governing enrollment of civilian rifle clubs in the Civilian Marksmanship Program.

(c) Policies and procedures governing the issue of arms and ammunition to civilian rifle clubs.

(d) Bonding of clubs prior to issue of Government property.

(e) Control and accountability of property issued to civilian rifle clubs.

(f) Policies and procedures governing prescribed courses of fire for members of civilian rifle clubs, and award of certificates and badges, as available, to qualifying shooters in such clubs.

(g) Processing requests of authorized civilian organizations for use of Government-owned rifle ranges at military installations.

(ii) Making all contracts and agreements covering the expenditure of public funds in accordance with law and regulations.

(iii) With the advice of the Budget Committee, National Board for the Promotion of Rifle Practice, preparing the annual requests for appropriations.

(iv) Acting as Chairman of the National Match Fund Council.

[AR 920-15, July 12, 1968] (Sec. 4308, 70A Stat. 236; 10 U.S.C. 4308)

For the Adjutant General.

R. F. ASKEY,
Colonel, AGC, Comptroller, TAGO.

[F.R. Doc. 68-10016; Filed, Aug. 20, 1968; 8:48 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4516]

[Oregon 3531]

OREGON

Partial Revocation of Reclamation Withdrawals

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, it is ordered as follows:

1. The departmental order of July 23, 1913, and the order of the Bureau of Reclamation of November 27, 1953, concurred in on October 20, 1955, by the Bureau of Land Management, are hereby revoked so far as they affect the following described lands:

WILLAMETTE MERIDIAN

T. 20 S., R. 10 E.,

Sec. 1, SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 25, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 26, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 27, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 33, E $\frac{1}{2}$ NE $\frac{1}{4}$;

Sec. 34, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 35, E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$.

T. 21 S., R. 10 E.,

Sec. 1, W $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 2, lots 1, 2, 3, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;

Sec. 3, lot 4, W $\frac{1}{2}$ W $\frac{1}{2}$ lot 3, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$;

Sec. 4, SE $\frac{1}{4}$;

Sec. 8, E $\frac{1}{2}$;

Sec. 9;

Sec. 10, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, SE $\frac{1}{4}$;

Sec. 11, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$;

Sec. 12, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 13, NE $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 14, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

T. 19 S., R. 11 E.,

Sec. 9, SE $\frac{1}{4}$;

Sec. 31, lot 4.

T. 20 S., R. 11 E.,

Sec. 18, NE $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 19, W $\frac{1}{2}$ NE $\frac{1}{4}$;

Sec. 31, W $\frac{1}{2}$ SE $\frac{1}{4}$.

T. 21 S., R. 11 E.,

Sec. 6, lots 1 and 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 7, lots 1 and 2.

The areas described aggregate 5,757.18 acres in Deschutes County, of which 2,540.08 acres are within the Deschutes National Forest, 1,799.60 acres are public domain, and 1,417.50 acres have been patented. The following described lands are public lands:

T. 21 S., R. 10 E.,

Sec. 1, W $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 2, lots 1, 2, and 3, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;

Sec. 3, lot 4, W $\frac{1}{2}$ W $\frac{1}{2}$ lot 3, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$;

Sec. 10, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$;

Sec. 11, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, and NW $\frac{1}{4}$;

Sec. 12, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 13, NE $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 14, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

2. At 10 a.m. on September 20, 1968, the national forest lands shall be open to such forms of disposition as may by law be made of such lands.

3. Until 10 a.m. on February 14, 1969, the State of Oregon shall have a preferred right of application to select the public lands as provided by R.S. 2276, as amended (43 U.S.C. 852). After that time the lands shall be open to operation of the public land laws generally, including the mining laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on February 14, 1969, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing. The lands have been open to applications and offers under the mineral leasing laws.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Portland, Oreg.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

AUGUST 15, 1968.

[F.R. Doc. 68-10039; Filed, Aug. 20, 1968; 8:49 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 68-825]

PART 1—PRACTICE AND PROCEDURE

Citation of Commission Documents

Order. In the matter of amendment of Part 1, rules of practice and procedure, with respect to citation of Commission documents.

1. All commission documents issued since July 1965, which are considered to have historical or precedential significance have been published in the Federal Communications Commission Reports, Second Series. Documents are published in weekly pamphlets within approximately 6 weeks after they are released. Each pamphlet contains a table of cases. The pamphlets are periodically compiled and published in bound volumes. Each volume contains a table of cases, subject digest and other finding aids. A cumulative Index Digest for the first seven volumes of the FCC Reports, Second Series, has been issued and additional cumulative digests will be issued periodically in the future. The pamphlets, bound volumes, and index digests may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

2. When papers are filed with the Commission which refer to a document published in the FCC Reports, Second Series, it is therefore appropriate to require that references to those Reports be included as part of the citation of that document. This requirement will serve the convenience of the Commission and practitioners and will augment the usefulness of the Reports.

3. Accordingly, it is ordered, That, effective August 23, 1968, Part 1 of Chapter I of Title 47 of the Code of Federal Regulations is amended by adding a new § 1.14, to read as follows:

§ 1.14 Citation of Commission documents.

The appropriate reference to the FCC Reports, Second Series, shall be included as part of the citation to any document which has been printed in the Reports (e.g., 1 FCC 2d 1 (1965)). See §§ 0.413 and 0.416 of this chapter.

4. Authority for this amendment is set forth in sections 4 (i) and (j) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154 (i) and (j) and 303(r). Because the amendment relates to matters of procedure, the procedural and effective date provisions of section 4 of the Administrative Procedure Act, 5 U.S.C. 553, are inapplicable.

(Secs. 4, 303, 48 Stat., as amended 1066, 1082; 47 U.S.C. 154, 303)

Adopted: August 14, 1968.

Released: August 16, 1968.

FEDERAL COMMUNICATIONS
COMMISSION¹

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-10059; Filed, Aug. 20, 1968;
8:51 a.m.]

[FCC 68-814]

PART 19—EMPLOYEE RESPONSIBILITIES AND CONDUCT

Outside Employment and Other Activity

In order to conform to instructions issued by the Civil Service Commission

¹ Commissioner Cox absent.

pursuant to its authority under section 601 of Executive Order 11222 of May 8, 1965, and 5 U.S.C. 7301 (formerly 5 U.S.C. 631), § 19.735-203 of Chapter I of the Code of Federal Regulations is amended by revising paragraph (c) and by deleting paragraph (d), as follows. The clearance requirements contained in paragraph (c) are also amended, as follows.

§ 19.735-203 Outside employment and other activity.

(c) Employees of the Commission are encouraged to engage in teaching, lecturing, and writing that is not prohibited by law, the Executive Order, the Civil Service Regulations, or this chapter. However, an employee of the Commission shall not, either with or without compensation engage in teaching, lecturing, or writing, including teaching, lecturing, or writing for the purpose of the special preparation of a person or class of persons for an examination of the Civil Service Commission or Board of Examiners for the Foreign Service, that is dependent on information obtained as a result of his Government employment, except when that information has been made available to the general public or will be made available on request, or when the Chairman gives written authorization for the use of non-public information on the basis that the use is in the public interest. Articles written by the staff shall not identify the author with the Commission or the Federal government unless prior approval has been obtained: In the case of employees generally, from the Executive Director upon the recommendation of the appropriate Bureau Chief; in the case of Heads of Offices and Bureaus, from the Chairman; and in the case of an employee in the immediate office of a Commissioner, from the individual Commissioner. Nor shall documents prepared in the course of official duties be used for private gain by an Commission employee. In addition, the Commissioners shall not receive compensation or anything of monetary value for any consultation, lecture, discussion, writing, or appearance the subject matter of which is devoted substantially to the responsibilities, programs, or operations of the Commission, or which draws substantially on official data or ideas which have not become part of the body of public information. (See also 47 U.S.C. 154(b) and § 735.202(b) (2).)

(d) [Deleted]

This amendment was approved by the Civil Service Commission on August 13, 1968, and is effective on August 21, 1968.

(E.O. 11222 of May 8, 1965, and 5 U.S.C. 7301)

Adopted: August 7, 1968.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-10060; Filed, Aug. 20, 1968;
8:51 a.m.]

Title 49—TRANSPORTATION

Subtitle A—Office of the Secretary of Transportation

[OST Docket No. 1; Amdt. No. 1-18]

PART 1—FUNCTIONS, POWERS, AND DUTIES IN THE DEPARTMENT OF TRANSPORTATION

Delegation of Authority With Respect to the Approval of Surrender of Certain Vessel Documents

Reorganization Plan No. 1 of 1967 (32 F.R. 7049) transferred certain functions relating to the approval of surrender of documents of a vessel pursuant to sections B(4) and O(a) of the Ship Mortgage Act of 1920 (46 U.S.C. 911(4) and 961(a)) to the Secretary of Transportation.

The purpose of this amendment is to delegate the Secretary's functions relating to the approval of surrender of vessel documents to the Commandant of the Coast Guard. The amendment also makes editorial changes to Part 1 to reflect the Reorganization Plan.

Since this amendment relates to departmental management, procedures, and practices, notice and public procedure thereon is unnecessary and it may be made effective in less than 30 days after publication in the FEDERAL REGISTER.

In consideration of the foregoing, effective August 15, 1968, Part 1 of the Regulations of the Office of the Secretary of Transportation (49 CFR Part 1) is amended as follows:

(1) Section 1.2 is amended by adding the following new paragraph at the end thereof:

§ 1.2 Preamble.

(e) Reorganization Plan No. 1 of 1967 (32 F.R. 7049), transferred to the Secretary certain functions of the Secretary of Commerce relating to ship mortgages.

(2) Section 1.4(a) is amended by amending the introductory language and by adding a new subparagraph (4) to read as follows:

§ 1.4 Delegation of functions, powers, and duties.

(a) The Commandant of the Coast Guard is hereby authorized to exercise the functions, powers, and duties vested in the Secretary by the following sections of the Act and other authority cited:

(4) Reorganization Plan No. 1 of 1967.

(Sec. 9, Department of Transportation Act; 49 U.S.C. 1657)

Issued in Washington, D.C., on August 14, 1968.

ALAN S. BOYD,
Secretary of Transportation.

[F.R. Doc. 68-10026; Filed, Aug. 20, 1968;
8:48 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 32—HUNTING

Wapanocca National Wildlife Refuge, Ark. and Yazoo National Wildlife Refuge, Miss.

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

ARKANSAS

WAPANOCCA NATIONAL WILDLIFE REFUGE

Public hunting of mourning doves on the Wapanocca National Wildlife Refuge, Ark., is permitted only on the area designated by signs as open to hunting. This open area, comprising 1,500 acres, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Hunting shall be in accordance with all applicable State regulations covering the hunting of mourning doves subject to the following special conditions:

(1) Hunting dates: September 3, 6, 9, 13, 16, 20, 1968.

(2) No hunters will be permitted within the hunting areas before 11:45 a.m. daily.

(3) All firearms must be encased and/or unloaded when outside designated hunting areas.

(4) When a successful limit has been taken the hunter must leave the hunting area immediately.

(5) Retrievers used by hunters will be kept under control at all times.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through September 20, 1968.

MISSISSIPPI

YAZOO NATIONAL WILDLIFE REFUGE

Public hunting of mourning doves on the Yazoo National Wildlife Refuge, Miss., is permitted only on the areas designated by signs as open to hunting. This open area, comprising approximately 1,300 acres, is delineated on a map available at the Refuge headquarters, Route 1, Hollandale, Miss. 38748; and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of mourning doves, subject to the following special conditions:

(1) Hunting dates: September 14, 18, 21, 25, 28, 1968.

(2) Retrievers used by hunters will be kept under control at all times.

(3) All firearms must be encased and/or unloaded when outside designated hunting areas.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through September 28, 1968.

W. L. TOWNS,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 12, 1968.

[F.R. Doc. 68-10005; Filed, Aug. 20, 1968; 8:46 a.m.]

PART 32—HUNTING

National Wildlife Refuges in Certain States

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER. The limited time ensuing from the date of the adoption of the Federal migratory game bird regulations to and including the establishment of State hunting seasons makes it impracticable to give public notice of proposed rule making.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

ARIZONA AND CALIFORNIA

HAVASU LAKE NATIONAL WILDLIFE REFUGE

Public hunting of doves on the Havasu Lake National Wildlife Refuge, Arizona and California, is permitted only on the area designated by signs as open to hunting. This open area, comprising 13,201 acres, is delineated on maps available at refuge headquarters, Needles, Calif., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting seasons are as follows: Arizona—white-winged and mourning doves, from September 1 through September 24, 1968, inclusive; mourning doves only, from December 11, 1968, through January 5, 1969, inclusive. California—white-winged and mourning doves, from September 1 through September 30, 1968, inclusive; and November 30 through December 8, 1968, inclusive. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of doves subject to the following special condition:

(1) Hunting is prohibited within one-fourth mile of any occupied dwelling or concession operation.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 5, 1969.

IMPERIAL NATIONAL WILDLIFE REFUGE

Public hunting of doves on the Imperial National Wildlife Refuge, Arizona and California, is permitted only on the area designated by signs as open to hunting. This open area, comprising 10,500 acres, is delineated on maps available at refuge headquarters, Yuma, Ariz., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting seasons are as follows: Arizona—white-winged and mourning doves, from September 1 through September 24, 1968, inclusive; mourning doves only, from December 11, 1968, through January 5, 1969, inclusive. California—white-winged and mourning doves, from September 1 through September 30, 1968, inclusive; and from November 30 through December 8, 1968, inclusive. Hunting shall be in accordance with applicable State and Federal regulations covering the hunting of doves.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 5, 1969.

KANSAS

FLINT HILLS NATIONAL WILDLIFE REFUGE

Public hunting of mourning doves, rails, woodcock, and Wilson's snipe on the Flint Hills National Wildlife Refuge, Kans., is permitted only on the area designated by signs as open to hunting. This open area, comprising 2,906 acres, is delineated on maps available at refuge headquarters, Burlington, Kans., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting seasons are as follows: Mourning doves, from September 1 through October 30, 1968, inclusive; rails, from September 1 through November 9, 1968, inclusive; woodcock, from October 19 through December 22, 1968, inclusive; and Wilson's snipe, from October 1 through November 19, 1968, inclusive. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of doves, rails, woodcock, and Wilson's snipe subject to the following special conditions:

(1) Vehicle access shall be restricted to designated parking areas and to existing roads.

(2) Dogs—Not to exceed two per hunter may be used for the purpose of hunting and retrieving.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 22, 1968.

KIRWIN NATIONAL WILDLIFE REFUGE

Public hunting of doves on the Kirwin National Wildlife Refuge, Kansas, is permitted from September 1 through October 30, 1968, inclusive, but only on the area designated by signs as open

to hunting. This open area, comprising 3,300 acres, is delineated on maps available at refuge headquarters, 5 miles west of Kirwin, Kans., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with applicable State and Federal regulations covering the hunting of doves.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 30, 1968.

OKLAHOMA

TISHOMINGO NATIONAL WILDLIFE REFUGE

Public hunting of mourning doves on the Tishomingo National Wildlife Refuge, Okla., is permitted only on the area designated by signs as open to hunting. This open area, comprising 3,170 acres, is delineated on maps available at refuge headquarters, Tishomingo, Okla., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State and Federal regulations governing the hunting of mourning doves subject to the following special conditions:

(1) The open season for hunting mourning doves on the refuge extends from September 1 through September 30, 1968, inclusive.

(2) Dogs may be used for the purpose of hunting and retrieving.

(3) A Federal permit is not required to enter the public hunting area, but hunters, upon entering and leaving, shall report at designated checking stations as may be established for the regulations of the hunting activity and shall furnish information pertaining to their hunting, as requested.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through September 30, 1968.

W. O. NELSON, Jr.,
Acting Regional Director,
Albuquerque, N. Mex.

AUGUST 12, 1968.

[F.R. Doc. 68-10004; Filed, Aug. 20, 1968; 8:46 a.m.]

PART 32—HUNTING

Bombay Hook National Wildlife Refuge, Del.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

DELAWARE

BOMBAY HOOK NATIONAL WILDLIFE REFUGE

The public hunting of rails and gallinules, mourning doves, woodcock, and common snipe on Bombay Hook National Wildlife Refuge is permitted within the regularly established 1968-69 seasons of the State of Delaware; but only on the area designated by signs as open to hunting. This open area, comprising 141 acres, is delineated on a map available at the refuge headquarters, Rural Delivery No. 1, Smyrna, Del., 19977, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable Federal and State regulations covering the hunting of rails and gallinules, mourning doves, woodcock, and common snipe.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1968.

FRED L. JACOBSON,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 8, 1968.

[F.R. Doc. 68-10007; Filed, Aug. 20, 1968; 8:47 a.m.]

PART 32—HUNTING

Brigantine National Wildlife Refuge, N.J.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

NEW JERSEY

BRIGANTINE NATIONAL WILDLIFE REFUGE

Public hunting of rails and gallinules on the Brigantine National Wildlife Refuge, N.J., is permitted during established State and Federal seasons on the areas designated by signs as open to hunting.

These open areas are delineated on maps available at Refuge Headquarters, Oceanville, N.J., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109.

Hunting shall be in accordance with applicable State and Federal regulations covering the hunting of rails and gallinules.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, as set forth in Title 50, Code

of Federal Regulations, Part 32, and are effective through January 30, 1969.

FRED L. JACOBSON,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 9, 1968.

[F.R. Doc. 68-10010; Filed, Aug. 20, 1968; 8:47 a.m.]

PART 32—HUNTING

Iroquois National Wildlife Refuge, N.Y.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

NEW YORK

IROQUOIS NATIONAL WILDLIFE REFUGE

The public hunting of woodcock and common (Wilson's) snipe on the Iroquois National Wildlife Refuge, N.Y., is permitted on the area designated by signs as open to hunting. This open area is delineated on maps available at the refuge headquarters, Basom, N.Y., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of woodcock and snipe.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1968.

FRED L. JACOBSON,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 9, 1968.

[F.R. Doc. 68-10011; Filed, Aug. 20, 1968; 8:47 a.m.]

PART 32—HUNTING

Prime Hook National Wildlife Refuge, Del.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

DELAWARE

PRIME HOOK NATIONAL WILDLIFE REFUGE

The public hunting of rails, gallinules, mourning doves, woodcock, and common snipe on the Prime Hook National Wildlife Refuge is permitted within the regularly established 1968-69 hunting seasons

of the State of Delaware. The hunting of these species is subject to the following special conditions:

(1) Hunting permitted only on the upland portion of Area A, comprising approximately 1,900 acres, until sunset the day before the opening date of waterfowl hunting season. At this time, the hunting of the above species on the upland portion of the refuge shall cease.

(2) Upon the opening date of the Migratory Waterfowl Hunting Season, hunting shall be restricted to designated blinds within Area B, by permit only.

The respective hunting areas are delineated on a map available at the refuge headquarters, Rural Delivery No. 1, Box 195, Milton, Del. 19968 and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable Federal and State regulations covering the hunting of rail and gallinule, mourning doves, woodcock, and common snipe.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, as set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 31, 1969.

FRED L. JACOBSON,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 9, 1968.

[F.R. Doc. 68-10038; Filed, Aug. 20, 1968; 8:49 a.m.]

PART 32—HUNTING

Bombay Hook National Wildlife Refuge, Del.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

DELAWARE

BOMBAY HOOK NATIONAL WILDLIFE REFUGE

Public hunting of upland game on Bombay Hook National Wildlife Refuge, Del., is permitted during the regular State seasons on the Upland Game Hunting Area designated by signs as open to hunting. This open Upland Game Hunting Area, comprising 141 acres, is delineated on maps available at refuge headquarters, Smyrna, Del. 19977, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable State regulations covering the hunting of upland game.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, as set forth in Title 50, Code

of Federal Regulations, Part 32, and are effective through April 30, 1969.

FRED L. JACOBSON,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 8, 1968.

[F.R. Doc. 68-10008; Filed, Aug. 20, 1968; 8:47 a.m.]

PART 32—HUNTING

Bombay Hook National Wildlife Refuge, Del.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

DELAWARE

BOMBAY HOOK NATIONAL WILDLIFE REFUGE

Public archery hunting of deer on Bombay Hook National Wildlife Refuge, Del., is permitted only on the Deer Hunting Area and Upland Hunting Area designated by signs as open to hunting. These open Deer Hunting Areas are delineated on maps available at refuge headquarters, Smyrna, Del. 19977 and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable State regulations covering archery hunting of deer subject to the following special condition:

(1) Hunting by bow and arrow on the Deer Hunting Area is permitted only on Saturdays.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1968.

FRED L. JACOBSON,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 9, 1968.

[F.R. Doc. 68-10006; Filed, Aug. 20, 1968; 8:47 a.m.]

PART 32—HUNTING

Prime Hook National Wildlife Refuge, Del.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

DELAWARE

PRIME HOOK NATIONAL WILDLIFE REFUGE

Public hunting of deer on Prime Hook National Wildlife Refuge, Del., is permitted within the regularly established 1968-69 hunting season of the State

of Delaware. This open deer hunting area, comprising approximately 6,100 acres, is delineated on a map available at the refuge headquarters, Rural Delivery No. 1, Box 195, Milton, Del. 19968, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1968.

FRED L. JACOBSON,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 8, 1968.

[F.R. Doc. 68-10009; Filed, Aug. 20, 1968; 8:47 a.m.]

PART 32—HUNTING

National Elk Refuge, Wyo.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

WYOMING

NATIONAL ELK REFUGE

Public hunting of elk on the National Elk Refuge, Wyo., is permitted from October 12, 1968, through November 1, 1968, only on the area designated by signs as open to hunting. This open area, comprising 18,247 acres, is delineated on maps available at refuge headquarters, Jackson, Wyo., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State regulations covering the hunting of elk subject to the following special conditions:

(1) A special permit is required in addition to a valid 1968 State Elk hunting license. Sixty special permits shall be issued to applicants by drawing at refuge headquarters at 12:30 p.m. on Friday, October 11, 1968, and every Friday thereafter through October 25, 1968. Permits are good for 1 week only.

(2) Access to the refuge shall be only through the main gate east of refuge headquarters in Jackson.

(3) Motorized vehicle travel in the hunting area is restricted to the roads designated by appropriate signs and delineated on maps available at refuge headquarters. This is interpreted to mean that motor vehicles may not leave designated roadways for the purpose of loading or picking up a kill.

(4) Persons without permits may accompany special permit holders in the same vehicle but only permit holders are allowed to possess a firearm.

The provisions of this special regulation supplement to the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 1, 1968.

DON E. REDFEARN,
Refuge Manager, National
Elk Refuge, Jackson, Wyo.

AUGUST 8, 1968.

[F.R. Doc. 68-10012; Filed Aug. 20, 1968;
8:47 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter II—Packers and Stockyards Administration, Department of Agriculture

PART 201—REGULATIONS UNDER THE PACKERS AND STOCKYARDS ACT

Instructions on Weighing Livestock and Testing Scales, and Code of Specifications and Tolerances for Livestock, Poultry, and Monorail Scales

On March 19, 1968, there was published in the *FEDERAL REGISTER* (33 F.R. 4682) a notice of proposed rule making with respect to instructions for testing livestock scales, weighing livestock, testing monorail scales used for weighing livestock carcasses purchased by meat-packers on a carcass weight, or carcass grade and weight basis, and a code of specifications and tolerances applicable to scales used for weighing livestock, livestock carcasses, and live poultry, pursuant to section 407 of the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. 228) and §§ 201.72, 201.73, 201.74, and 201.78 of the regulations issued thereunder (9 CFR 201.72, 201.73, 201.74, and 201.78). On August 9, 1968, there was published in the *FEDERAL REGISTER* (33 F.R. 11354) a document adopting, with certain specified changes, said instructions and code and making them effective 30 days after publication.

There is set forth below the full text of the instructions and code as promulgated by the document published in the *FEDERAL REGISTER* on August 9, 1968, which become effective on September 8, 1968.

(Sec. 407, 42 Stat. 169, 7 U.S.C. 228; 29 F.R. 16210, as amended; 32 F.R. 7186)

The reporting and record-keeping requirements contained therein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Done at Washington, D.C., the 15th day of August 1968.

DONALD A. CAMPBELL,
Administrator, Packers and
Stockyards Administration.

§ 201.72-1 Instructions for testing livestock and animal scales.

(a) *Adoption of National Bureau of Standards codes in Handbook 44.* Insofar as they are applicable to livestock and animal scales the specifications, tolerances, and regulations for commercial weighing devices, as published in National Bureau of Standards Handbook 44, 3d edition, with amendments through July 1967, shall be applied to all livestock and animal scales under supervision of the Packers and Stockyards Administration, except insofar as differing provisions are set forth in 201.72-2. The applicable portions of this handbook are set forth in § 201.72-2 and copies are available upon request from the local area supervisor or the Washington, D.C., office of the Packers and Stockyards Administration.

(b) *Definition.* (1) A proper test is one which fully discloses the accuracy and other performance characteristics of the scale under all conditions which may prevail during actual use. It includes the application of loads of standard test weights in successive stages to the maximum capacity at which the scale is used; it includes separate tests of individual components, such as fractional bars, poises, notches, and main levers of sections which independently may affect weighing accuracy; it demands a reasonably exact determination of the errors which develop; finally, it requires the recording in permanent form of all pertinent data developed during the test.

(2) A competent testing agency is one which employs experienced personnel and utilizes a sufficient amount of standard test weights to conduct tests in accordance with the procedure described in the instructions which follow. Agencies which the Administration considers competent, on that basis, include certain weights and measures departments, railroad scale departments, commercial scale repair and service companies, and some stockyards or packers having adequate test equipment and employing qualified scale mechanics or servicemen.

(3) A suitable interval between tests is a period of approximately 6 months. In instances where tests and inspections disclose that a scale does not maintain its accuracy between tests or is otherwise undependable, or is mechanically deficient as regards construction, installation, or maintenance, more frequent tests may be required.

(4) *Livestock scale:* A scale equipped with stock racks and gates and adapted to weigh livestock standing on the scale platform.

(5) *Animal scale:* A livestock scale adapted to weighing single heads of livestock.

(6) *Sensitivity response or SR:* The change in load required to change the position of rest of the indicating element or elements of a nonautomatic indicating scale a definite amount at any load.

(c) *Sensitivity response—(1) Test for sensitiveness for nonautomatic indicating scales.* The test for sensitiveness shall be conducted on all nonautomatic indi-

cating scales. SR tests shall be made at zero load and at the maximum test load applied to the scale by either increasing or decreasing the test-weight load on the load-receiving element of the scale. The response of the scale shall be as follows:

(i) *On a scale with a trig loop but without a balance indicator.* The position of rest of the weighbeam shall change from the center of the trig loop to the top or bottom of the trig loop, as the case may be.

(ii) *On a scale with a balance indicator.* The position of rest of a single indicator on a scale having a nominal capacity of 500 pounds or greater shall change 0.25 (1/4) inch or the width of the central target area, whichever is greater.

(d) *SR requirements.* (1) The maximum SR on a scale not equipped with a balance indicator shall be the value of two of the minimum graduated intervals on the weighbeam.

(2) The SR on a scale equipped with a balance indicator shall be the value of the minimum graduated interval on the weighbeam.

(e) *Tolerances.* (Applicable with respect to the performance or accuracy of scales.)

(1) *Acceptance tolerances.* Acceptance tolerances shall apply as follows:

(i) To any equipment about to be put into commercial use for the first time.

(ii) To equipment that has been placed in commercial service within the preceding 30 days and is being officially tested for the first time.

(iii) To equipment that has been returned to commercial service following official rejection for failure to conform to performance requirements and is being officially tested for the first time within 30 days after corrective service.

(iv) To equipment that is being officially tested for the first time within 30 days after major reconditioning or overhaul.

(2) *Maintenance tolerances.* Maintenance tolerances shall apply to equipment in actual use, except as provided in subparagraph (1) of this paragraph.

(3) *To tests involving digital indications or representations.* To the tolerances that would otherwise be applied, there shall be added an amount equal to one-half the minimum value that can be indicated or recorded.

(4) *Minimum tolerance values.* (The smallest tolerance that may be applied to a particular scale.)

(i) *For livestock scales.* The minimum maintenance and acceptance tolerance shall be 2 pounds, or one-half the value of the minimum graduated interval, whichever is greater.

(ii) *For animal scales.* The minimum maintenance tolerance and acceptance tolerance shall be 1 pound.

(5) *Basic tolerance values—(i) Application.* Basic tolerance values shall be applied to weighbeam, reading face, and unit-weight indications, and to recorded representations.

(ii) *For livestock and animal scales.* The basic maintenance tolerance on livestock and animal scales shall be 2 pounds

per 1,000 pounds of test load (0.2 percent). The acceptance tolerance shall be one-half the basic maintenance tolerance.

(f) *Official inspection and test procedures for livestock and animal scales*—

(1) *Inspection procedure*. Before the actual test of any livestock or animal scale is begun, a thorough visual inspection should be made of the scale installation. The weighbeam shelf pillars and/or the dial cabinet should be firmly anchored to a solid foundation. The scale platform should be cleaned of debris and foreign matter which might adhere to the test weights or otherwise be removed during the test and cause a change in zero-load balance. No other changes or cleaning should be performed since it is important for the scale to be tested "as found" if the results are to truly indicate characteristic weighing performance.

(2) *Test procedure—weighbeam scales*—(i) *Zero-load balance*. With the stock-rack gates closed or otherwise secured in "clear positions" and with all poises at zero, the scale should be accurately balanced at zero with 20 or 25 pounds of small demonstration weights on the platform. These balance weights will be used to accurately measure errors and balance changes during the test.

(ii) *The SR (sensitivity response)*. On scales equipped with balance indicators a change in load equal to the minimum weighbeam graduation shall change the position of rest of the indicator 0.25 ($\frac{1}{4}$) inch or the width of the central target area, whichever is greater. On scales not equipped with balance indicators the SR value at zero load should be determined by increasing or decreasing the amount of balance weights necessary to move the weighbeam from a position of rest in the center of the trig loop to a position of rest either at the top or bottom of the trig loop.

(iii) *Shift test*. A corner test conducted with test weights equal to approximately one-fourth the nominal capacity of the scale should be applied and centered, as nearly as possible, successively over each main load bearing. In the case of scales of more than two sections, in lieu of a corner test, a shift test should be conducted with a half-capacity test load successively concentrated on each section of the scale. The amount of error is determined by increasing or decreasing the amount of balance weights on the scale platform to produce a correct balance of the weighbeam or indicator. After the shift test is completed, all test weights should be removed from the scale platform and the zero-load balance carefully checked. Any change from the original amount of balance weights will represent a zero-load balance change, and the new amount will be the basis on which errors at succeeding stages of the test will be computed. An alternate method is to obtain a new zero-load balance after recording the amount of balance change.

(iv) *Increasing-load test*—(a) *Center test*. The fractional bar of the weighbeam should be tested successively at one-half capacity and at full capacity. The frac-

tional poise is then restored to its zero position and the intermediate bar, usually graduated to 900-pound capacity by 100-pound intervals, should next be tested at each notch to its capacity. If the scale is not equipped with an intermediate bar, each 100-pound notch should be tested on the weighbeam up to 1,000 pounds.

(b) *Distributed-load test*. The test should then continue with the main poise set at either successive or alternate 1,000-pound notches and with test loads of corresponding value applied to the platform in a reasonably uniform distribution pattern. At each load the amount of balance weights should be decreased or increased as required to produce a correct balance of the weighbeam or indicator. Any difference between the value of balance weights at zero-load and the load at a given notch will represent the error value. The increasing-load test should proceed up to scale capacity (or "maximum used" capacity). "Maximum used capacity" is determined by multiplying square feet of platform area by 110 pounds for cattle, by 70 pounds for calves and hogs or by 50 pounds for sheep. During this test printed weight values should be checked for accuracy and legibility by operating the weight recording device at representative loads.

(v) *The SR (sensitivity response)*. Value at maximum load should be determined as previously described in subdivision (ii) of this subparagraph. The test load should then be removed from the scale platform and the zero-load balance again checked by means of the balance weights.

(3) *Alternate test procedure—weighbeam scales*. (i) Another commonly accepted testing procedure, which is also approved by the Packers and Stockyards Administration, consists of conducting the increasing-load test first and the shift test last. However, there is a practical advantage in conducting the shift test first, since, in many instances, less weight handling is required if adjustments are made following such tests.

(4) *Test procedure—automatic-indicating scales*. (The testing procedure for automatic-indicating or dial scales corresponds basically to the procedure for testing weighbeam scales.)

(i) *Method of determining errors*. The use of balance weights is also recommended when testing automatic-indicating scales since certain scales equipped with automatic-weight recorders will not print at dial chart capacity or if overregistration is indicated at chart capacity without the application of a unit weight. This is also applicable on scales which are underregistering at zero when a unit weight is applied. On all other weight determinations made during the test no balance weights are removed since the actual printed weight determines the error.

(ii) *Zero-load balance*. Carefully balance the scale at zero with 20 or 25 pounds of balance weights on the platform. The weight recorder should be activated so that a comparison can be made of the recorded and visual zero-load bal-

ance. (SR requirements are not applicable to automatic-indicating scales.)

(iii) *Shift test*. A corner test conducted with test weights equal to approximately one-fourth the nominal capacity of the scale should be applied and centered, as nearly as possible, successively over each main load bearing. In the case of scales of more than two sections, in lieu of a corner test, a shift test should be conducted with a half-capacity test load successively concentrated on each section of the scale. It is recommended that the shift test be conducted by employing unit weights when the nominal capacity of the scale is sufficient to permit this. By this means it can be determined if the source of any errors developed during the test can be attributed to the lever system of the scale. After the shift test is completed, all test weights should be removed from the scale platform and the zero-load balance checked.

(iv) *Increasing-load test*—(a) *Center test*. Test weights should be applied in 100-pound increments up to 1,000 pounds.

(b) *Distributed-load test*. Test weights in 500- or 1,000-pound increments should be applied until scale capacity (or "maximum used" capacity) is reached. Many agencies consider it desirable in testing the dial chart to apply test loads at the four points representing each quarter of the reading-face capacity. This procedure has merit particularly if the testing agency is also to repair or adjust the scale. However, in all instances such scales should be tested to the full capacity of the dial chart and all unit weights normally used should also be tested.

(v) *Decreasing-load test*. This is a special supplementary test for automatic-indicating scales only, during which the performance of the scale is tested, when the test weight load is being reduced. In this test, an observation is made and any error recorded with a test weight load equal to one-half of the maximum applied test load.

(vi) *Zero-load balance*. The test weight load should be removed from the scale platform and the zero-load balance again checked. Any balance shift at zero should be recorded. The balance weights used to ascertain errors in the scale during the test should be removed and the scale restored to a zero-load balance.

(5) *Test procedure—dual weighing installations*. Such installations usually consisting of a weighbeam and dial connected to a single lever system and installed to function independently of each other should be tested by observing and recording separately the performance of each unit. Such tests may be conducted and recorded simultaneously.

(g) *Record of test results*. The results of each test should be recorded in full detail on official forms No. PS-212, provided by the Administration. (An exception may be made in the case of a State, county, or municipal agency which utilizes forms supplying substantially the same information as is provided for on the official Administration forms). Essential information to be recorded includes:

(1) Identification of the scale by ownership, location, scale number, nominal capacity of the weighbeam or other indicating elements, and the species of livestock weighed.

(2) Identification and address of the scale testing agency and the signature of the local Administration representative present during the test.

(3) Identification of the scale manufacturer, type of scale and serial number of weighbeam and/or dial, and the value of the minimum graduations on weighbeam or dial face.

(4) A statement of the maximum and minimum loads of livestock weighed.

(5) Identification of the balance indicator manufacturer, and designation whether the scale tickets are serially numbered.

(6) The date of the present test and of the last preceding test.

(7) The year the scale was installed, size of the scale platform, condition of the approaches, and the depth of the pit.

(8) Data showing the SR value at zero and capacity loads, the amount and position of applied test loads, the errors indicated or printed, and the amount of any zero-balance changes.

At the conclusion of the test the scale should be inspected thoroughly and any faulty conditions of installation, construction, or maintenance which may affect the weighing performance should be reported. There should also be included a report of any adjustment or repairs made at the time of test, and of any recommendations made for future repairs, maintenance, or replacement. The test results and other observations are to be recorded on the report under the proper headings as the test proceeds and immediately after observations are made. An original and two carbon copies of the report must be prepared. The original must be forwarded to the area supervisor of the Packers and Stockyards Administration. One copy is for the scale owner and one is for the scale testing agency. Sample reports of weighbeam and dial livestock scale tests conducted in compliance with official instructions are available upon request to the area supervisor or may be obtained from the Washington office of the Administration.

§ 201.72-2 Applicable provisions of National Bureau of Standards Handbook 44.

The following definitions, specifications, sensitivity requirements, tolerances, and user requirements correspond essentially with respect to livestock, single animal, monorail, and live poultry scales, with those contained in National Bureau of Standards Handbook 44—3d Edition, as amended through July 1967. The following paragraphs are identified by consecutive numbering under each of the following headings: "Definitions," "Specifications," "Notes," "Sensitivity Requirements," "Tolerances," and "User Requirements." Citations to corresponding paragraphs of Handbook 44 material appears in parentheses (); where the letter G is the first symbol in the citation the reference is to the General

Code; otherwise, the reference is to the Scale Code. Thus, (G-D) would refer to a definition in the General Code, or (S-D) a definition in the Scale Code. (S.1.1) would refer to a specification 1.1 in the Scale Code. Provisions in this section which are applicable to all equipment are printed in ordinary roman type. Provisions in this section which are applicable only to equipment placed in service after July 1, 1957, are printed in italic type.

(a) *Definitions*—(1) *Accurate*. A scale is accurate when its indications and recorded representations as determined by tests made with suitable standards conform to the applicable tolerances and other performance requirements.

(2) *Animal scale*. A livestock scale adapted to weighing single heads of livestock. (S-D)

(3) *Automatic-indicating scale*. One on which the weights of applied loads of various magnitudes are automatically indicated throughout all or a portion of the weighing range of the scale.

(4) *Balance indicator*. A combination of elements, one or both of which will oscillate with respect to the other, for indicating the balance condition of a nonautomatic-indicating scale. The combination may consist of two indicating edges, lines, or points, or a single edge, line, or point and a graduated scale. (S-D)

(5) *Basic tolerances*. Basic tolerances are those tolerances on underregistration and on overregistration, or in excess and in deficiency that are established by a particular code for a particular device under all normal tests, whether maintenance or acceptance. Basic tolerances include minimum tolerance values when these are specified. Special tolerances, identified as such and pertaining to special tests, are not basic tolerances. (G-D)

(6) *Beam scale*. One on which the weights of loads of various magnitudes are indicated solely by means of one or more weighbeam bars either alone or in combination with counterpoise weights. (S-D)

(7) *Clear interval between graduations*. The interval between adjacent edges of successive graduations of a series of graduations. If the graduations are "staggered," the interval shall be measured, if necessary, between a graduation and an extension of the adjacent graduation. (G-D)

(8) *Corner (shift) test*. A test intended to disclose the weighing performance of a scale under offcenter loading. (S-D)

(9) *Correct*. A piece of equipment is "correct" when, in addition to being accurate, it meets all applicable specification requirements. Equipment that fails to meet any of the requirements for correct equipment is "incorrect." (G-D)

(10) *Counterbalance weight*. One intended for application near the butt of a weighbeam for zero-load balancing purposes. (S-D)

(11) *Counterpoise weight*. A slotted or "hanger" weight intended for application near the tip of the weighbeam of a scale having a multiple greater than 1. (S-D)

(12) *Decreasing-load test*. A special supplementary test for automatic-indicating scales only, during which the performance of the scale is tested when the load is being reduced. In this test, an observation is made with a test weight load equal to one-half of the maximum applied test load. (S-D)

(13) *Digital type*. Refers to a system of indication or recording of the selector type or one that advances intermittently in which all values are presented digitally, or in numbers. In a digital indicating or recording element, or in digital representation, there are no graduations. (G-D)

(14) *Fractional bar*. A weighbeam bar of relatively small capacity, for obtaining indications intermediate between notches or graduations on a main or intermediate bar.

(15) *Graduated interval*. The distance from the center of one graduation to the center of the next graduation of a series of graduations. (G-D)

(16) *Graduation*. A defining line, or one of the lines defining subdivisions of a graduated series.

(17) *Increasing-load test*. The normal basic performance test for a scale, in which observations are made as increments of test-weight load are successively added to the load-receiving element of the scale. (S-D)

(18) *Index of an indicator*. The particular portion of an indicator that is directly utilized in making a reading. (G-D)

(19) *Indicating element*. An element incorporated in a weighing device by means of which its performance relative to quantity is "read" from the device itself, as, for example, an index-and-graduated-scale combination or a weighbeam-and-poise combination, a digital indicator and the like.

(20) *Intermediate bar*. An auxiliary weighbeam bar of a capacity less than that of the main bar.

(21) *Live poultry scale*. One used by licensees to weigh live poultry at markets designated under the Packers and Stockyards Act.

(22) *Livestock scale*. One equipped with stock racks and gates and adapted to weighing livestock standing on the scale platform. (S-D)

(23) *Load cell*. The basic weighing element of a load-cell scale. The load cell, whether electric, hydraulic, or pneumatic, produces a signal proportional to the load applied. (S-D)

(24) *Main bar*. A principal weighbeam bar, usually of relatively large capacity as compared with other bars of the same weighbeam. (On an automatic-indicating scale equipped with a weighbeam, the main weighbeam bar is frequently called the "capacity" bar.) (S-D)

(25) *Main graduation*. One of those defining the primary or principal subdivisions of a graduated series. (G-D)

(26) *Main-weighbeam elements*. The combination of a main bar and its fractional bar, or a main bar alone if this has no fractional bar associated with it. (S-D)

(27) *Minimum tolerance.* The smallest tolerance that may be applied to a particular scale.

(28) *Monorail scale.* A scale the load receiving element of which is part of monorail conveyor system and which is used primarily for the weighing of livestock carcasses. Such a scale is also called an abattoir scale, a track scale, or a rail scale.

(29) *Multiple of a scale.* In general, the multiplying power of the entire system of levers or other basic weighing elements. (On a beam scale, the number of pounds on the load-receiving element that will be counterpoised by 1 pound applied to the tip pivot of the weighing-beam.)

(30) *Multirevolution scale.* An automatic-indicating scale having nominal capacity that is a multiple of the reading-face capacity and that is achieved by more than one complete revolution of the indicator. (S-D)

(31) *Nominal capacity.* The nominal capacity of a scale is (i) the largest weight indication that can be obtained by the use of all of the reading or recording elements in combination, including the amount represented by any removable weights furnished or ordinarily furnished with the scale, but excluding the amount represented by any extra removable weights not ordinarily furnished with the scale, and excluding also the capacity of any auxiliary weighing attachment not contemplated by the original design of the scale and excluding any fractional bar with a capacity less than $2\frac{1}{2}$ percent of the sum of the capacities of the remaining reading elements or (ii) the capacity marked on the scale by the manufacturer, whichever is less. (S-D)

(32) *Nose-iron.* A slidably mounted, manually adjustable pivot assembly for changing the multiple of a lever. (S-D)

(33) *Notes.* A section included in each of a number of codes, containing instructions, pertinent directives, and other specific information pertaining to the testing of devices. Notes are primarily directed to weights and measures officials. (G-D)

(34) *Over-and-under indicator.* An automatic-indicating element incorporated in or attached to a scale and comprising an indicator and a graduated scale with a central or intermediate "zero" graduation and a limited range of weight graduations on either side of the zero graduation, for indicating weights greater than and less than the predetermined values for which other elements of the scale may be set. (A scale having an over-and-under indicator is classed as an automatic-indicating scale.) (S-D)

(35) *Overregistration and underregistration.* The error of a weighing scale is said to be "overregistering" or "underregistering" depending on whether its indications are, respectively, greater or less than they should be. For example, a scale that indicates or records more than the true value of the applied load has an error of "overregistration."

(36) *Parallax.* The apparent displacement, or apparent difference in height or

width, of a graduation or other object with respect to a fixed reference, as viewed from different points. (G-D)

(37) *Poise.* A movable weight mounted upon or suspended from a weighbeam bar and used in combination with graduations, and frequently with notches, on the bar to indicate weight values. (A suspended poise is commonly called a "hanging" poise.) (S-D)

(38) *Ratio test.* A test to determine the accuracy with which the actual multiple of a scale agrees with its designed multiple. This test is utilized in the case of scales employing counterpoise weights and is made with standard test weights substituted in all cases for the weights commercially used on the scale. (It is appropriate to utilize this test in the case of some scales not employing counterpoise weights.) (S-D)

(39) *Reading-face.* That portion of an automatic-indicating weighing device that gives a visible indication of the quantity weighed. A reading-face may include an indicator and a series of graduations or may present values digitally.

(40) *Reading-face capacity.* The largest weight that may be indicated on the reading-face, exclusive of the application of any unit weights, weight ranges, or other elements.

(41) *Recorded representation.* Refers to the printed, embossed, or other representation that is recorded as a quantity by a weighing device. (G-D)

(42) *Recording element.* An element incorporated in a weighing device by means of which its performance relative to quantity is permanently recorded on a tape, ticket, card, or the like, in the form of a printed, stamped, punched, or perforated representation.

(43) *Recording scale.* One on which the weights of applied loads may be permanently recorded on a tape, ticket, card, or the like, in the form of a printed, stamped, punched, or perforated representation. (S-D)

(44) *Selector-type.* Refers to a system of indication or recording in which the mechanism selects, by means of a ratchet-and-pawl combination or by other means, one or the other of any two successive values that can be indicated or recorded. (G-D)

(45) *Sensitivity response or SR.* The change in load required to change the position of rest of the indicating element or elements of a nonautomatic indicating scale a definite amount at any load.

(46) *Specification.* A requirement usually dealing with the design, construction, or marking of a weighing device. Specifications are primarily directed to the manufacturers of devices.

(47) *Subordinate graduation.* Any graduation other than a main graduation. (G-D)

(48) *Tare bar.* An auxiliary weighbeam bar, primarily for the purpose of determining, or balancing out, the weights of empty containers or vehicles. (S-D)

(49) *Tolerance.* A value fixing the limit of allowable error or departure from true performance or value. (G-D)

(50) *Unit weight.* One contained within the housing of an automatic-

indicating scale and mechanically applied to and removed from the mechanism. The application of a unit weight will increase the range of automatic-indication, normally in increments equal to the reading-face capacity. (S-D)

(51) *User requirements.* Requirements usually dealing with the selection, installation, use or maintenance of a weighing device. User requirements are directed primarily to the users of devices. (G-D)

(52) *Value of minimum graduated interval.* The smallest value represented by the interval from the center of one graduation to the center of the succeeding graduation. Also, the smallest increment of recorded value. (G-D)

(53) *Weighbeam or beam.* An element comprising one or more bars, equipped with movable poises or means for applying counterpoise weights or both. (S-D)

(54) *Weight ranges.* Electrical or electro-mechanical elements incorporated in an automatic-indicating scale through the application of which the range of automatic indication of the scale is increased, normally in increments equal to the reading-face capacity. (S-D)

(55) *Zero-load balance.* A correct weight indication or representation of zero when there is no load on the load-receiving element. (S-D)

(56) *Zero-load balance for an automatic-indicating scale.* A condition in which the indicator is at rest at or oscillates through approximately equal arcs on either side of the zero graduation. (S-D)

(57) *Zero-load balance for a non-automatic-indicating scale.* A condition in which (i) the weighbeam is at rest at or oscillates through approximately equal arcs above and below the center of a trig loop, (ii) the weighbeam or lever system is at rest at or oscillates through approximately equal arcs above and below a horizontal position or a position midway between limiting stops, or (iii) the indicator of a balance indicator is at rest at or oscillates through approximately equal arcs on either side of the zero graduation. (S-D)

(58) *Zero-load balancing for a recording scale.* A condition in which the scale will record a representation of zero load. (S-D)

(b) *Specifications.* (Applicable with respect to the design of weighing equipment).

(1) *Identification.* All commercial equipment except weights shall be clearly and permanently marked on an exterior surface for purposes of identification with the name, initials, or trademark of the manufacturer and with the manufacturer's designation that positively identifies the pattern or the design of the device. (G.S.1)

(2) *Facilitation of fraud.* All commercial equipment and all mechanisms and devices attached thereto or used in connection therewith shall be so constructed, assembled, and installed for use that they do not facilitate the perpetration of fraud. (G.S.2)

(3) *Permanence.* All commercial equipment shall be of such materials,

design, and construction as to make it probable that, under normal service conditions, (i) accuracy will be maintained, (ii) operating parts will continue to function as intended, and (iii) adjustments will remain reasonably permanent. Undue stresses, deflections, or distortions of parts shall not occur to the extent that accuracy or permanence is detrimentally affected. (G.S.3)

(4) *Interchange or reversal of parts.* Parts of a device that may readily be interchanged or reversed in the course of field assembly or of normal usage shall be so constructed that their interchange or reversal will not materially affect the performance of the device. Parts that may be interchanged or reversed in normal field assembly shall be, (i) so constructed that their interchange or reversal will not affect the performance of the device, or (ii) so marked as to show their proper positions. (G.S.4)

(5) *Indicating elements and recorded representations (G.S.5.1) General.* All weighing devices shall be provided with indicating or recording elements appropriate in design and adequate in amount. Primary indications and recorded representations shall be clear, definite, accurate, and easily read under any conditions of normal operation of the device.

(6) *Graduations. (G.S.5.2)—(i) Analog indication and representation.* Graduations and a suitable indicator shall be provided in connection with indications and recorded representations designed to advance continuously. (G.S.5.2.1.)

(ii) *Digital indication and representation.* Graduations shall not be required in connection with digital indications or recorded digital representations. (G.S.5.2.2)

(iii) *Size and character.* In any series of graduations, corresponding graduations shall be uniform in size and character. (G.S.5.2.3)

(iv) *Values.* If graduations are intended to have specific values, these shall be adequately defined by a sufficient number of figures, words, symbols, or combinations thereof, uniformly placed with reference to the graduations and as close thereto as practicable, but not so positioned as to interfere with the accuracy of reading. (G.S.5.2.4)

(v) *Permanence.* Graduations and their defining figures, words, and symbols shall be of such character that they will not tend easily to become obliterated or illegible. (G.S.5.2.5)

(7) *Values of graduated intervals.* In any series of graduations, the values of the graduated intervals shall be uniform throughout the series. (G.S.5.3)

(8) *Repeatability of indications.* A device shall be capable of repeating, within prescribed tolerances, its indications and recorded representations. This requirement shall be met irrespective of repeated manipulation of any element of the device in a manner approximating normal usage (including displacement of the indicating element to the full extent allowed by the construction of the device and repeated operation of a locking or relieving mechanism) and of the repeated performance of steps or opera-

tions that are embraced in the testing procedure. (G.S.5.4)

(9) *Recorded representations.* Insofar as they are appropriate, the requirements for indicating and recording elements shall be applicable also to recorded representations. (G.S.5.6)

(10) *Magnified graduations and indications.* When, in normal usage, a series of graduations and an indicator are necessarily viewed as magnified by an optical system or as magnified and projected on a screen, all particulars of the magnified image shall conform to all appropriate requirements for graduations and indications. (G.S.5.7)

(11) *Lettering.* All required markings and instructions shall be distinct and easily readable and shall be of such character that they will not tend easily to become obliterated or illegible. (G.S.6)

(12) *Design of indicating and recording elements and of recorded representations (S.1)—(i) Zero indication.* On an automatic-indicating scale equipped with a printer, provision shall be made:

(a) To indicate and record zero, and
(b) To indicate and record an out-of-balance condition.

(ii) *Graduations (S.1.2)—(a) Length.* Graduations shall be so varied in length that they may be conveniently read. (S.1.2.1)

(b) *Width.* In any series of graduations, the width of a graduation shall in no case be greater than the width of the minimum clear interval between graduations, and the width of main graduations shall be not more than 50 percent greater than the width of subordinate graduations. Graduations shall in no case be less than 0.008 inch in width. (S.1.2.2)

(iii) *Clear interval between graduations.* The clear interval shall be not less than 0.03 inch for graduations. If the graduations are not parallel, the measurement shall be made,

(a) Along the line of relative movement between the graduations and the end of the indicator, or

(b) If the indicator is continuous at the point of widest separation of the graduations.

(iv) *Indicators (S.1.3)—(a) Symmetry.* The index of an indicator shall be symmetrical with respect to the graduations with which it is associated and at least throughout that portion of its length that is associated with the graduations. (S.1.3.1)

(b) *Length.* The index of an indicator shall reach to the finest graduations with which it is used, unless the indicator and the graduations are in the same plane, in which case the distance between the end of the indicator and the ends of the graduations, measured along the line of the graduations, shall be not more than 0.04 inch. (S.1.3.2)

(c) *Width.* The width of the index of an indicator in relation to the series of graduations with which it is used shall be not greater than,

(1) The width of the widest graduation,

(2) The width of the minimum clear interval between weight graduations, and

(3) Three-fourths of the width of the minimum clear interval between money-value graduations.

When the index of an indicator extends along the entire length of a graduation, that portion of the index of the indicator that may be brought into coincidence with the graduation shall be of the same width throughout the length of the index that coincides with the graduation. (S.1.3.3)

(d) *Clearance.* The clearance between the index of an indicator and the graduations shall in no case be more than 0.06 inch. (S.1.3.4)

(e) *Parallax.* Parallax effects shall be reduced to the practicable minimum. (S.1.3.5)

(v) *Weight ranges and unit weights.* The total value of weight ranges and of unit weights in effect or in place at any time shall automatically be accounted for on the reading face and on any recorded representation. (S.1.4)

(13) *Design of balance, damping, and arresting mechanisms (S.2)—(i) Zero-load adjustment (S.2.1)—(a) General.* A scale shall be equipped with means by which the zero-load balance may be adjusted, and any loose material used for this purpose shall be so enclosed that it cannot shift in position in such a way that the balance condition of the scale is altered. (S.2.1.1)

(b) *Balance ball.* A balance ball or similar device shall not itself be rotatable unless the balancing device is automatic in operation or it is enclosed in a cabinet. (This specification will become effective on all scales as of July 1, 1975.)

(ii) *Damping means.* An automatic-indicating scale, and a balance indicator, shall be equipped with effective means (such as a dashpot) for damping the oscillations whenever such means are necessary to bring the indicating elements quickly to rest. (S.2.4)

(14) *Design of weighing elements (S.4)—(i) Antifriction elements.* At all points at which a live part of the mechanism may come into contact with another part in the course of normal usage, frictional effects shall be reduced to a minimum by means of suitable antifriction elements, opposing surfaces, and points being properly shaped, finished, and hardened. A platform scale having a frame around the platform shall be equipped with means to prevent interference between platform and frame. (S.4.1)

(ii) *Adjustable weighing elements.* An adjustable weighing element such as a nose-iron, a pendulum, or a spring (but not an element for adjusting level or zero-load balance) shall be held securely in adjustment and shall not be adjustable from the outside of the scale. The position of a nose-iron on a scale of more than 500 pounds capacity, as determined by the factory adjustment, shall be accurately, clearly, and permanently defined. (S.4.2)

(15) *Design of weighbeams and poises (S.5)—(i) Weighbeams (S.5.1)—(a) Normal balance position.* The normal balance position of the weighbeam of a beam scale shall be horizontal. (S.5.1.1)

(b) *Travel.* The weighbeam of a beam scale shall have equal travel above and below the horizontal. The total travel of the weighbeam of a beam scale in a trig loop or between other limiting stops near the weighbeam tip shall be not less than the minimum travel shown in Table 1. When such limiting stops are not provided, the total travel at the weighbeam tip shall be not less than 8 percent of the distance from the weighbeam fulcrum to the weighbeam tip. (S.5.1.2)

TABLE 1.—MINIMUM TRAVEL OF WEIGHBEAM OF BEAM SCALE BETWEEN LIMITING STOPS

Distance from weighbeam fulcrum to limiting stops	Minimum travel between limiting stops
Inches	Inch
12 or less.....	0.4
13 to 20, inclusive.....	.5
21 to 40, inclusive.....	.7
Over 40.....	.9

(c) *Subdivision.* A subdivided weighbeam bar shall be subdivided by means of graduations, notches, or a combination of both. Graduations on a particular bar shall be of uniform width and perpendicular to the top edge of the bar. Notches on a particular bar shall be uniform in shape and dimensions and perpendicular to the face of the bar. When a combination of graduations and notches is employed, the graduations shall be so positioned in relation to the notches as to indicate notch values clearly and accurately. (S.5.1.3)

(d) *Readability.* A subdivided weighbeam bar shall be so subdivided and marked, and a weighbeam poise shall be so constructed, that the weight corresponding to any normal poise position can easily and accurately be read directly from the beam, whether or not provision is made for the optional recording of representations of weight. (S.5.1.4)

(e) *Poise stop.* Except on a steelyard with no zero graduation, a shoulder or stop shall be provided on each weighbeam bar to prevent a poise from traveling and remaining back of the zero graduation. (S.5.1.6)

(i) *Poises (S.5.2)—(a) General.* No part of a poise shall be readily detachable. A locking screw shall be perpendicular to the longitudinal axis of the weighbeam and shall not be removable. Except on a steelyard with no zero graduation, a poise shall not be readily removable from a weighbeam. The knife edge of a hanging poise shall be hard and sharp and so constructed as to allow the poise to swing freely on the bearing surfaces in the weighbeam notches. (S.5.2.1)

(b) *Adjusting material.* The adjusting material in a poise shall be securely enclosed and firmly fixed in position, and if softer than brass it shall not be in contact with the weighbeam. (S.5.2.2)

(c) *Pawl.* A poise, other than a hanging poise, on a notched weighbeam bar shall have a pawl that will seat the poise in a definite and correct position in any notch, wherever in the notch the pawl is placed, and hold it there firmly and without appreciable movement. That dimen-

sion on the tip of the pawl that is transverse to the longitudinal axis of the weighbeam shall be at least equal to the corresponding dimension of the notches. (S.5.2.3)

(d) *Reading edge or indicator.* The reading edge or indicator of a poise shall be sharply defined, and a reading edge shall be parallel to the graduations on the weighbeam. (S.5.2.4)

(iii) *Marking requirements (S.6).* The nominal capacity shall be conspicuously marked as follows:

(a) On any scale equipped with unit weights or weight ranges,

(b) On any scale with which counterpoise or equal-arm weights are intended to be used,

(c) On any automatic indicating or recording scale so constructed that the capacities of the several individual indicating and recording elements are not immediately apparent, and

(d) On any scale with a nominal capacity less than the sum of the reading elements. (S.6.1)

(c) *Notes.* (Applicable with respect to the testing of scales.) (N)

(1) *Testing procedures (N.1)—(i) Increasing-load test.* The increasing-load test shall be conducted on all scales with the test loads approximately centered on the load-receiving element of the scale, except on a scale having a nominal capacity greater than the total available known test load, in which case the available test load is used to greatest advantage by concentrating it, within prescribed load limits, over the main load supports of the scale. (N.1.1)

(ii) *Decreasing-load test.* The decreasing-load test shall be conducted on automatic-indicating scales only and with a test load equal to one-half of the maximum applied test load, approximately centered on the load-receiving element of the scale. (N.1.2)

(iii) *Shift test (N.1.3)—(a) On livestock and live poultry scales.* The shift or corner test shall be conducted with a quarter-capacity test load centered, as nearly as possible, successively over each main load bearing. In the case of scales of more than two sections, in lieu of a corner test, a shift test shall be conducted with a half-capacity test load successively concentrated on each section of the scale.

(b) *On monorail scales.* The shift test shall be conducted with a half-capacity test load centered successively at each end of the weigh rail.

(iv) *Test for sensitiveness for non-automatic-indicating scales.* The test for sensitiveness shall be conducted on all non-automatic-indicating scales. SR tests shall be made at zero load and at the maximum test load applied to the scale by either increasing or decreasing the test-weight load on the load-receiving element of the scale. The response of the scale shall be as follows:

(a) *On a scale with a trig loop but without a balance indicator.* The position of rest of the weighbeam shall change from the center of the trig loop to the top or bottom, as the case may be.

(b) *On a scale with a single balance indicator and having a nominal capacity of 500 pounds or greater.* The position of rest of a single indicator on a scale having a nominal capacity of 500 pounds or greater shall change 0.25 (¼) inch or the width of the central target area, whichever is greater.

(c) *Ratio test.* A ratio test shall be conducted on all scales employing counterpoise weights and on non-automatic-indicating equal-arm scales. (N.1.5)

(d) *SR requirements—(1) Application.* The SR is applicable to a scale to which acceptance tolerances apply and to a scale to which maintenance tolerances apply.

(2) *For livestock, animal, and monorail scales not equipped with balance indicators.* The maximum SR on a scale not equipped with a balance indicator shall be the value of two of the minimum graduated intervals on the weighbeam.

(3) *For livestock, animal, and monorail scales equipped with balance indicators.* The SR on a scale equipped with a balance indicator shall be the value of the minimum graduated interval on the weighbeam.

(e) *Tolerances.* (Applicable with respect to the performance or accuracy of scales.) (G.T.)

(1) *Acceptance tolerances.* Acceptance tolerances shall apply as follows:

(i) To any equipment about to be put into commercial use for the first time.

(ii) To equipment that has been placed in commercial service within the preceding 30 days and is being officially tested for the first time.

(iii) To equipment that has been returned to commercial service following official rejection for failure to conform to performance requirements and is being officially tested for the first time within 30 days after corrective service.

(iv) To equipment that is being officially tested for the first time within 30 days after major reconditioning or overhaul. (1966, G.T.1)

(2) *Maintenance tolerances.* Maintenance tolerances shall apply to equipment in actual use, except as provided in subparagraph (1) of this paragraph. (G.T.1)

(3) *Application.* Tolerances "in excess" and tolerances "in deficiency" shall apply to errors in excess and to errors in deficiency, respectively. Tolerances "on overregistration" and tolerances "on underregistration" shall apply to errors in the direction of overregistration and of underregistration, respectively. (See definitions of terms.) (G.T.3)

(4) *To tests involving digital indications or representations.* To the tolerances that would otherwise be applied, there shall be added an amount equal to one-half the minimum value that can be indicated or recorded. (T.1.2)

(5) *To increasing-load tests.* Basic tolerances shall be applied. (T.1.3)

(6) *To shift tests.* Basic tolerances shall be applied. (T.1.4)

(7) *To ratio tests.* Three-fourths (0.75) of basic tolerances shall be applied. (T.1.5)

(8) *To decreasing-load tests on automatic-indicating scales.* One and one-half (1.5) times basic tolerances shall be applied. (T.1.6)

(9) *Minimum tolerance values (T.2)—*

(i) *For monorail and poultry scales.* The maintenance and acceptance tolerance applied to a scale shall be not smaller than the appropriate value shown in table 2, or one-half the value of the minimum graduated interval, whichever is less. (T.2.1)

TABLE 2—MINIMUM TOLERANCE VALUES FOR MONORAIL AND POULTRY SCALES

(This table applies where the appropriate value in the table is smaller than one-half the value of the minimum graduated interval on the device under test.)

Nominal capacity	Minimum tolerance value
Pounds	Ounces Pounds
0 to 250, inclusive.....	2.....
251 to 500, inclusive.....	4.....
501 to 1000, inclusive.....	8.....
1001 to 2500, inclusive.....	1.....

(ii) *For livestock scales.* The minimum maintenance and acceptance tolerance shall be 2 pounds, or one-half the value of the minimum graduated interval, whichever is greater. (T.2.2)

(iii) *For animal scales.* The minimum maintenance tolerance and acceptance tolerance shall be 1 pound. (T.2.3)

(10) *Basic tolerance values (T.3)—*

(i) *Application.* Basic tolerance values shall be applied to weighbeam, reading-face, and unit-weight indications, and to recorded representations. (T.3.1)

(ii) *For monorail and poultry scales.* The basic maintenance and acceptance tolerances shall be as shown in Table 3.

TABLE 3—BASIC TOLERANCES FOR MONORAIL AND POULTRY SCALES. (SEE ALSO (4) (T.1.2))

Test load	Maintenance	Acceptance
Pounds	Ounces	Ounces
0 to 149, inclusive.....	2.....	1.....
150 to 199, inclusive.....	3.....	1½.....
200 to 299, inclusive.....	4.....	2.....
300 to 399, inclusive.....	6.....	3.....
400 to 599, inclusive.....	8.....	4.....
600 to 799, inclusive.....	12.....	6.....
800 to 999, inclusive.....	14.....	7.....
1000 and over.....	0.1 percent of test load.	0.05 percent of test load.

(iii) *For livestock and animal scales.* The basic maintenance tolerance on livestock and animal scales shall be 2 pounds per 1,000 pounds of test load (0.2 percent). The acceptance tolerance shall be one-half the maintenance tolerance (T.3.3)

(f) *User requirements.* (Applicable with respect to the selection, installation, use, and maintenance of weighing devices. (G-UR))

(1) *Selection requirements.* (G-UR.1) Suitability of equipment: Commercial equipment shall be suitable for the service in which it is used with respect to elements of its design, including but not limited to its weighing capacity, the character, number, size, and location of its indicating or recording elements, and the value of its minimum graduated interval. (G-UR.1.1)

(2) *For livestock and animal scales.* Such scales shall be equipped with a type-registering weighbeam, a dial with a mechanical ticket printer, or a similar device which shall be used for printing or stamping weight values on scale tickets.

(3) *Value of minimum graduated intervals on primary indicating and recording elements (UR.1.1)—*(i) *For animal scales only.* The value of the minimum graduated interval shall be not greater than 1 pound. (UR.1.1.1)

(ii) *For livestock scales only.* The value of the minimum graduated interval shall be not greater than 5 pounds. (UR.1.1.4)

(iii) *For monorail and poultry scales.* The value of the minimum graduated interval shall be not greater than 0.1 percent of the nominal capacity of the scale or one-quarter pound, whichever is greater. (UR.1.1.7)

(4) *Installation requirements (G-UR.2)—*(i) *Installation.* A device shall be installed in accordance with the manufacturer's instructions, including any instructions marked on the device. A device installed in a fixed location shall be so installed that neither its operation nor its performance will be adversely affected by any characteristic of the foundation, supports, or any other detail of the installation. (G-UR.2.1)

(ii) *Protection against wind and weather effects.* The indicating elements, the level system or load cells, and the under side of the load-receiving element of a permanently installed scale shall be adequately protected against wind and weather effects. (UR.2.3)

(iii) *Foundation, supports, and clearance.* The foundation and supports of any scale installed in a fixed location shall be such as to provide strength, rigidity, and permanence of all components, and clearance shall be provided around all live parts to the extent that no contacts may result when the load-receiving element is empty and throughout the weighing range of the scale. (UR.2.4)

(iv) *Access to pit.* Adequate provision shall be made for ready access to the pit of a vehicle, livestock, or animal scale for purposes of inspection and maintenance. (UR.2.5)

(v) *Stock racks.* A livestock or animal scale shall be equipped with a suitable stock rack, with gates as required, which shall be securely mounted on the scale platform. Adequate clearances shall be maintained around the outside of the rack. (UR.2.7)

(vi) *Accessibility for testing purposes.* A scale shall be so located, or such facilities for normal access thereto shall be provided, that the test weights of the testing agency, in the denominations customarily provided, and in the amount deemed necessary by the testing agency for the proper testing of the scale, may readily be brought to the scale by customary means.

(5) *Maintenance requirements (G-UR.4)—*(i) *Maintenance of equipment.* All equipment in commercial service and all mechanisms and devices attached

thereto or used in connection therewith shall continuously be maintained in proper operating condition throughout the period of such service. (G-UR.4.1)

(ii) *Use of adjustments.* Weighing elements that are adjustable shall be adjusted only to correct those conditions that such elements are designed to control, and shall not be adjusted to compensate for defective or abnormal installation or accessories or for badly worn or otherwise defective parts of the assembly. Any faulty installation conditions shall be corrected, and any defective parts shall be renewed or suitably repaired, before adjustments are undertaken. Whenever equipment is adjusted, the adjustments shall be so made as to bring performance errors as close as practicable to zero value. (G-UR.4.2)

(iii) *Balance condition.* A scale shall be maintained in balance. (UR.4.1)

(iv) *Lengthening and widening of platforms.* Neither the length nor the width of the load-receiving element of a scale shall be increased beyond the manufacturer's designed dimension, except when the modification has been approved by competent scale-engineering authority, preferably that of the engineering department of the manufacturer of the scale. (UR.4.3)

(v) *Method of operation.* Equipment shall be operated only in the manner that is obviously indicated by its construction or that is indicated by instructions on the equipment. (G-UR.3.1)

(g) *Weights—*(1) *Application.* (Pertaining to the application of code requirements.) General: This code applies to commercial weights; that is, weights used in connection with commercial weighing devices. It does not apply to test weights or to other "standards" of mass.

(2) *Specifications.* (Applicable with respect to the materials for, and design of, weights.) Material: The material used for weights shall be metal, or a metal alloy, not softer than brass.

(3) *Design (S.2)—*(i) *Surface.* The surface of a weight shall be smooth and shall not be coated with thick, soft, or brittle material. A weight shall not have sharp edges, points, or corners.

(ii) *Adjusting material.* Adjusting material shall be securely positioned and shall not project beyond the surface of the weight.

(iii) *Marking requirements.* (S.4) Counterpoise weight: A counterpoise weight shall be marked to show clearly both its nominal value and the value it represents when used on the multiplying-lever scale for which it is intended. (S.4.6)

(4) *Tolerances.* (Applicable with respect to the accuracy of weights.) (T)

(i) *In excess and in deficiency.* The tolerances hereinafter prescribed shall be applied equally to errors in excess and errors in deficiency. (T.1)

(ii) *On avoirdupois weights.* The maintenance tolerances shall be as shown in Table 4. Acceptance tolerances shall be one-half the maintenance tolerances.

(iii) *For intermediate value.* For a capacity, indication, load, value, etc.,

intermediate between two capacities, indications, loads, values, etc., listed in a table of tolerances, the tolerances prescribed for the lower capacity, indication, load, value, etc., shall be applied. (G.T.4)

TABLE 4—TOLERANCES FOR AVOIRDUPOIS WEIGHT

Nominal value	Maintenance tolerance	
	Counterpoise weights	
	For scales with multiples of less than 1,000	For scales with multiples of 1,000 and over
Ounces		
4	1.5	1.0
5	1.5	1.0
6	1.5	1.0
8	2.0	1.0
10	2.5	2.5
12	2.5	2.0
Pounds		
1	3.0	2.5
2	6.0	4.0
3	9.0	5.0
4	11.0	6.0
5	12.0	6.5

(h) *Test weights—standards of mass; calibration of test weights.* Test weights to be used in testing scales subject to the provisions of the Packers and Stockyards Act, shall be calibrated at least once in 3 years by an authorized agency and shall conform to the tolerances of the National Bureau of Standards for Class C weights of large denominations as indicated in the following table.

AVOIRDUPOIS TEST WEIGHTS

Denomination	Class C tolerances
Pounds	
50	10 grains.
100	15 grains.
500	0.5 ounce.
1,000	1.0 ounce.
2,000	2.0 ounces.
2,500	2.5 ounces.

§ 201.73-1 Instructions for weighing livestock.

Stockyard operators, market agencies, dealers, and packers who operate scales on which livestock is weighed in purchase or sales transactions shall supply copies of the instructions in this section to all persons who perform weighing operations for them and direct such persons to familiarize themselves with the instructions and to comply with them at all times. This section shall also apply to any additional weighers who are employed at any time. Weighers must acknowledge their receipt of the instructions in this section and agree to comply with them, by signing in duplicate, forms provided by the Packers and Stockyards Administration (attached hereto). One copy of the form is to be filed with the area office of the Packers and Stockyards Administration and the other retained by the agency employing the weighers.

(a) *Balancing the empty scale.* (1) The empty scale shall be balanced each day before weighing begins and thereafter, while weighing operations continue and its zero balance shall be verified at intervals of not more than 15 drafts or 15 minutes, whichever is completed first. In addition, the zero bal-

ance of the scale shall be verified whenever a weigher resumes weighing duties after an absence from the scale and also whenever a load exceeding half the scale capacity has been weighed and is to be followed by a load of less than 1,000 pounds.

(2) Before balancing the empty scale the weigher shall notify parties outside the scale house of his intention by a bell signal or otherwise and shall assure himself that the scale gates are closed and that no persons or animals are on the scale platform or in contact with the stock rack, gates, or platform. When the empty scale is balanced and ready for weighing, he shall so indicate by appropriate signal.

(3) Weighbeam scales shall be balanced by first seating each poise securely in its zero notch and then moving the balance ball to such position that a correct zero balance is obtained. A scale equipped with a balance indicator is correctly balanced when the indicator comes to rest in the center of the target area. A scale not equipped with a balance indicator is correctly balanced if the weighbeam, when released at the top or bottom of the trig loop, swings freely in the trig loop in such manner that it will come to rest at the center of the trig loop.

(4) Dial scales shall be balanced by releasing all drop weights and operating the balance ball or other balancing device to obtain a correct zero balance. The indicator must visibly indicate zero on the dial reading face and the ticket printer must record a correct zero balance. "Balance tickets" should be filed with other scale tickets issued on that date.

(5) A balance ball or other balancing device shall be operated only when balancing the empty scale and shall not be operated at any other time or for any other purpose.

(6) The time at which the empty scale is balanced or its zero balance verified shall be marked on scale tickets or other permanent records.

(b) *Weighing the load.* (1) Before weighing a draft of livestock the weigher shall assure himself that the entire draft is on the scale platform with the gates closed and that no persons or animals off the scale are in contact with the platform, gates, or stock rack.

(2) (i) On a weighbeam scale with a balance indicator the weight of a draft shall be determined by moving the poises to such positions that the indicator will come to rest within the central target areas.

(ii) On a weighbeam scale without a balance indicator the weight shall be determined by moving the poises to such positions that the weighbeam, when released from the top or bottom of the trig loop, will swing freely in the trig loop and come to rest at the approximate center of the trig loop.

(iii) On a dial scale the weight of a draft is indicated automatically when the indicator revolves around the dial face and comes to rest.

(3) The correct weight of a livestock draft is the value in pounds indicated by a weighbeam or dial when correct load

balance is obtained. In any case the weigher should concentrate his attention upon the beam tip, balance indicator or dial indicator while weighing and not concern himself with reading the visible weight indications until correct load balance is obtained.

(c) *Recording the weight.* (1) The weight of each draft shall be recorded immediately after the load balance is obtained and before any poises are moved or load removed from the scale platform. The weigher shall make certain that the printed weight record agrees with the weight value visibly indicated on the weighbeam or dial when correct load balance is obtained. He shall also assure himself that the printed weight value is sufficiently distinct and legible.

(2) The weight printing device on a scale shall be operated only to produce a printed or impressed record of weight while the livestock load is on the scale and correctly balanced. If the weight is not printed clearly and correctly, the ticket shall be marked void and a new one printed before the draft is removed from the scale.

(d) *Scale tickets.* (1) Scale tickets used to record the weight of livestock in sale or purchase transactions shall be used, at any given scale, in the order of their consecutive serial numbers unless otherwise marked to show the order of their use. All tickets shall bear the date of the weighing and the name or initials of the weigher performing the weighing service.

(2) No scale tickets shall be destroyed or otherwise disposed of because they are soiled, damaged, incorrectly executed, or voided. They shall be preserved and filed to comprise a complete serial number sequence.

(3) No scale tickets shall be used to record the weight of a livestock draft for "catch weight," inventory, transportation charge, or other nonsale purposes unless the ticket is clearly marked to show that the weight was determined for such a purpose and not for sale or purchase purposes.

(e) *Weigher's responsibilities.* (1) The primary responsibility of a weigher is to determine and record the true weight of livestock drafts without prejudice or favor to any person or agency and without regard for livestock ownership, price, condition, fill, shrink, or other considerations. A weigher shall not permit the representations or attitudes of any persons or agencies to influence his judgment or action in performing his duties.

(2) Unused scale tickets or those which are partially executed but without a printed weight value shall not be left exposed or accessible to parties entering the scale house. All such tickets shall be kept under lock when the weigher is not at his duty station.

(3) Accurate weighing and correct weight recording require that a weigher shall not permit his operations to be hurried to the extent that inaccurate weights or incorrect weight records may result. Each draft of livestock must be weighed accurately to the nearest minimum graduation. Manual operations connected with balancing, weighing, and

recording shall be performed with the care necessary to prevent damage to the accurately machined and adjusted parts of weighbeams, poises, and printing devices. Rough handling of these parts shall be avoided.

(4) Livestock owners, buyers, or others having legitimate interest in a livestock draft are entitled to observe the balancing, weighing, and recording procedures and a weigher shall not deny them that right or withhold from them any information pertaining to the weight of that draft. He shall check the zero balance of the scale or reweigh a draft of livestock when requested by such parties.

(f) *Sensitivity control.* (1) A scale must be sensitive in response to platform loading if it is to yield accurate weights. It, therefore, is the duty of a weigher to assure himself that interferences, weighbeam friction, or other factors do not impair sensitivity. He should satisfy himself, at least twice each day, that the scale is sufficiently sensitive, and, if the following requirements are not met, he should report the facts to his superior or employer immediately.

(2) A weighbeam scale with a balance indicator is sufficiently sensitive if, when the scale is balanced with the indicator at the center of the target, movement of the fractional poise one graduation will change the indicator rest point $\frac{1}{4}$ -inch (0.25) or the width of the central target area, whichever is greater.

(3) A weighbeam scale without a balance indicator is sufficiently sensitive if, when the scale is balanced with the weighbeam at the center of the trig loop, movement of the fractional poise two graduations will cause the weighbeam to come to rest at the top or bottom of the trig loop.

(4) Adjustable damping devices are incorporated in balance indicators and in dial scales to absorb the effects of load impact and to bring the indicator to rest. The weigher should be familiar with the location and adjustment of these damping devices and should keep them so adjusted that when the indicator is displaced from a position of rest it will oscillate freely through at least one complete cycle of movement before coming to rest at its original position.

(5) Friction at weighbeam bearings may reduce the sensitiveness of the scale, cause sluggish weighbeam action and affect weighing accuracy. A weigher should inspect the weighbeam assembly daily to make certain that there is clearance between the weighbeam and the pivot bearings.

(6) Interferences or binding of the scale platform, stock rack, gates, or other "live" parts of the scale are common causes of weighing inaccuracy. A weigher should satisfy himself, at the beginning of each weighing period, that all such "live" parts have sufficient clearance to prevent interference.

(g) *General precautions.* (1) The poises of weighbeam scales are carefully adjusted and sealed to a definite weight at the factory and any change in that weight seriously affects weighing accu-

racy. A weigher, therefore, should be certain that poise parts do not become broken, loose, or lost and that no material is added to a poise. Balancing or weighing shall not be performed while a scale ticket is in the slot of a weighbeam poise.

(2) Stops are provided on scale weighbeams to prevent movement of poises back of the zero graduation when balancing or weighing. When the stops become worn or broken and allow a poise to be set behind the zero position this condition should be reported and corrected without delay.

(3) Foreign objects or loose material in the form of nuts, bolts, washers, or other material on any part of the weighbeam assembly, including the counterbalance hanger or counterbalance weights, are potential sources of weighing error. Loose balancing material must be enclosed in the shot cup of the counterbalance hanger and counterbalance weights must not be of the slotted type which can readily be removed.

(4) Whenever for any reason a weigher has reason to believe that a scale is not functioning properly or not yielding correct weight values, he shall discontinue weighing, report the facts to the parties responsible for scale maintenance, and request inspection, test, or repair of the scale.

(5) When a scale has been adjusted, modified, or repaired in any manner which may affect the accuracy of weighing or weight recording, the weigher shall not use the scale until it has been tested and inspected and found to be accurate.

(6) Count-off men, gate men, or others assigned to open or close scale gates or to drive livestock on or off the scale shall perform those functions as directed by the weigher's signals or spoken instructions. They shall prevent persons or animals off the scale from being in contact with any part of the scale platform, stock rack, or gates while the scale is being balanced or used for weighing. They shall not open gates or remove livestock from the scale until directed by the weigher.

NOTE: Attention is called to § 201.54(b) of the regulations providing that:

"No stockyard owner shall receive or knowingly permit any officer, agent, or employee of the stockyard to receive, from any market agency, dealer, packer, or other user of such stockyard, and no market agency, dealer, or packer shall offer, make, or give to any stockyard owner, or to any officer, agent, or employee of a stockyard, any gift, payment, loan, or other consideration, except the established charges for, or in connection with, the furnishing of stockyard services."

It should be noted that §§ 201.73 and 201.78 of the regulations also define obligations of weighers.

Attention is called to section 10 of the Federal Trade Commission Act, which is made applicable to persons subject to the Packers and Stockyards Act and provides in part:

"* * * Any person who shall willfully make, or cause to be made, any false entry or statement of fact in any report required to be made under this Act, or who shall willfully make, or cause to be made, any false entry in any account, record, or memorandum kept by any corporation subject to this Act or who

shall willfully neglect or fail to make, or cause to be made, full, true, and correct entries in such accounts, records, or memoranda, of all facts and transactions appertaining to the business of such corporation, or who shall willfully remove out of the jurisdiction of the United States, or willfully mutilate, alter, or by any other means falsify any documentary evidence of such corporation, or who shall willfully refuse to submit to the Commission or to any of its authorized agents, for the purpose of inspection and taking copies, any documentary evidence of such corporation in his possession or within his control, shall be deemed guilty of an offense against the United States, and shall be subject upon conviction in any court of the United States of competent jurisdiction, to a fine of not less than \$1,000 nor more than \$5,000 or to imprisonment for a term of not more than three years, or to both such fine and imprisonment."

A weigher who willfully prints or enters a false weight value on a scale ticket or other record of a stockyard company, market agency, dealer, or packer is subject to the section quoted above.

U.S. DEPARTMENT OF AGRICULTURE
PACKERS AND STOCKYARDS ADMINISTRATION
WEIGHER'S ACKNOWLEDGMENT AND AGREEMENT

I, _____,
employed by _____,
(Firm Name)
at _____, _____, as a weigher of
(City) (State)

livestock, have read the Instructions for Weighing Livestock issued under authority of the Packers and Stockyards Act and agree to comply fully with said Instructions. I am aware that it will be an offense against the United States for me to willfully make any false entry of weight or other information on a scale ticket or other record kept by my employer.

(Signature of Weigher)

(Date)

(Signature of Witness)

§ 201.78-1 Instructions for testing monorail scales.

(a) *Adoption of National Bureau of Standards Codes in Handbook 44.* Insofar as they are applicable to monorail scales, the specifications, tolerances, and regulations for commercial weighing devices, as published in National Bureau of Standards Handbook 44, 3d Edition, with amendments through July 1967, shall be applied to all monorail scales under supervision of the Packers and Stockyards Administration. The applicable portions of this Handbook are set forth in § 201.72-2 and copies are available upon request from the local area supervisor or the Washington, D.C., office of the Packers and Stockyards Administration. In the following instructions, citations to corresponding paragraphs of Handbook 44 material appear in parentheses.

(b) *Definitions.* (1) Monorail scale means any scale the load receiving element of which is part of a monorail conveyor system and which is used primarily for the weighing of livestock carcasses. Such a scale is also called an abattoir scale, a track scale, or a rail scale.

(2) A proper test is one which fully discloses the accuracy and other performance characteristics of the scale under all conditions which may prevail during actual use. It includes the application of loads of standard test weights in successive stages to the maximum capacity at which the scale is used; it includes separate tests of individual components, such as fractional bars, poises, notches, counterpoise weights, and sections which independently may affect weighing accuracy; it demands an accurate determination of the errors which develop; finally, it requires the recording in permanent form of all pertinent data developed during the test.

(3) A competent scale testing agency is one which employs experienced personnel and utilizes a sufficient amount of standard test weights to conduct tests in accordance with the procedure described in these instructions. Such agencies may include weights and measures departments, railroad scale departments, commercial scale repair and service companies, and packers.

(4) A suitable interval between tests is a period of time not to exceed 6 months. In instances where tests and inspections disclose that a scale does not maintain its accuracy between tests, or is otherwise undependable, or is mechanically deficient as regards construction, installation, or maintenance, more frequent tests may be required.

(5) Multiple of a scale: In general, the multiplying power of the entire system of levers or other basic weighing elements. (On a beam scale, the number of pounds on the load-receiving element that will be counterpoised by 1 pound applied to the tip pivot of the weighbeam.)

(6) Counterpoise weight: A slotted or "hanger" weight intended for application near the tip of the weighbeam of a scale having a multiple greater than 1. (S-D)

(7) Zero-load balance: A correct weight indication or representation of zero when there is no load on the load-receiving element. (S-D)

(8) Ratio test: A test to determine the accuracy with which the actual multiple of a scale agrees with its designed multiple. This test is utilized in the case of scales employing counterpoise weights and is made with standard test weights substituted in all cases for the weights commercially used on the scale. (It is appropriate to utilize this test in the case of some scales not employing counterpoise weights.) (S-D)

(9) Increasing-load test: The normal basic performance test for a scale in which observations are made as increments of test-weight load are successively added to the load-receiving element of the scale. (S-D)

(10) Decreasing-load test: A special supplementary test for automatic-indicating scales only, during which the performance of the scale is tested when the load is being reduced. In this test, an observation is made with a test weight load equal to one-half of the maximum applied test load. (S-D)

(11) Shift test: A test intended to disclose the weighing performance of a scale under off-center loading. (S-D)

(12) Sensitivity response or SR: The change in load required to change the position of rest of the indicating element or elements of a non-automatic-indicating scale a definite amount at any load.

(13) SR for a scale with a trig loop but without a balance indicator: The change in load required to change the position of rest of the weighbeam from the center of the trig loop to the top or bottom of the trig loop.

(14) Nominal capacity: The nominal capacity of a scale is (i) the largest weight indication that can be obtained by the use of all of the reading or recording elements in combination, including the amount represented by any removable weights furnished or ordinarily furnished with the scale, but excluding the amount represented by any extra removable weights not ordinarily furnished with the scale, and excluding also the capacity of any auxiliary weighing attachment not contemplated by the original design of the scale and excluding any fractional bar with a capacity less than $2\frac{1}{2}$ percent of the sum of the capacities of the remaining reading elements or (ii) the capacity marked on the scale by the manufacturer, whichever is less. (S-D)

(c) SR requirements. The maximum SR shall be the value of two of the minimum graduated intervals on the weighbeam.

(d) User requirements—(1) Suitability of equipment. Commercial equipment shall be suitable for the service in which it is used with respect to all elements of its design, including but not limited to its weighing capacity, the character, number size, and location of its indicating or recording elements, and the value of its minimum graduated interval. (G-UR.1.1)

(2) Value of minimum graduated intervals on primary indicating and recording elements. The value of the minimum graduated interval on a monorail scale shall be not greater than 0.1 percent of the nominal capacity of the scale or one-fourth pound, whichever is greater.

(e) Tolerances—(1) Acceptance tolerances. Acceptance tolerances shall apply as follows:

(i) To any equipment about to be put into commercial use for the first time.

(ii) To equipment that has been placed in commercial service within the preceding 30 days and is being officially tested for the first time.

(iii) To equipment that is being officially tested for the first time within 30 days after major reconditioning or overhaul.

(iv) To equipment that has been returned to commercial service following official rejection for failure to conform to performance requirements and is being officially tested for the first time within 30 days after corrective service. (G-T.1)

(2) Maintenance tolerances. Maintenance tolerances shall apply to equipment in actual use, except as provided in subparagraph (1) of this paragraph. (G-T.2)

(3) For intermediate values. For a capacity, indication, load, value, etc., intermediate between two capacities, indica-

tions, loads, values, etc., listed in a table of tolerances, the tolerances prescribed for the lower capacity, indication, load, value, etc., shall be applied. (G-T.4)

(4) Tolerance applications. (Applicable with respect to the performance or accuracy of devices).

(i) To underregistration and to overregistration. The tolerances hereinafter prescribed shall be applied equally to errors of underregistration and errors of overregistration.

(ii) To tests involving digital indications or representations. To the tolerances that would otherwise be applied, there shall be added an amount equal to one-half the minimum value that can be indicated or recorded. (T.1.2)

(iii) To increasing-load tests. Basic tolerances shall be applied. (T.1.3)

(iv) To shift tests. Basic tolerances shall be applied. (T.1.4)

(v) To ratio tests. Three-fourths (0.75) of basic tolerance shall be applied. (T.1.5)

(vi) To decreasing-load tests on automatic-indicating scales. One and one-half (1.5) times basic tolerances shall be applied. (T.1.6)

(5) Minimum tolerance values. The maintenance tolerance and the acceptance tolerance applied to a monorail scale shall be not smaller than the appropriate value shown in Table I, or one-half the value of the minimum graduated interval, whichever is less. (T.2.1)

(6) Basic tolerance values. Basic tolerance values shall be applied to weighbeam, reading-face, and unit-weight indications, and to recorded representations. The basic maintenance and acceptance tolerances for monorail scales shall be as shown in Table II.

TABLE I.—MINIMUM TOLERANCE VALUES FOR MONORAIL SCALES

(This table applies where the appropriate value in the table is smaller than one-half the value of the minimum graduated interval on the device under test.)

Nominal capacity	Minimum tolerance value	
Pounds	Ounces	Pounds
0 to 250, Inclusive	2	
251 to 500, Inclusive	4	
501 to 1000, Inclusive	8	
1001 to 2500, Inclusive		1

TABLE II.—BASIC TOLERANCES FOR MONORAIL SCALES

Test load	Maintenance tolerances	Acceptance tolerances
Pounds	Ounces	Ounces
0 to 149, inclusive	2	1
150 to 199, inclusive	3	1½
200 to 299, inclusive	4	2
300 to 399, inclusive	6	3
400 to 599, inclusive	8	4
600 to 799, inclusive	12	6
800 to 999, inclusive	14	7
1000 and over	0.1 percent of test load.	0.05 percent of test load.

(7) Tolerances. (Applicable with respect to the accuracy of weights). The maintenance tolerances in excess and in deficiency for commercial counterpoise weights shall be as shown in Table III. Acceptance tolerances shall be one-half the maintenance tolerances.

TABLE III—MAINTENANCE TOLERANCES FOR AVOIRDUPOIS WEIGHTS

Nominal value	For scales with multiples of less than 1,000	For scales with multiples of 1,000 and over
Ounces		
4	1.5	1.0
5	1.5	1.0
6	1.5	1.0
8	2.0	1.5
10	2.5	2.0
Pounds		
1	3.0	2.5
2	6.0	4.0
3	9.0	5.0
4	11.0	6.0
5	12.0	6.5

(1) *Official inspection and test procedures for monorail scales*—(1) *Inspection procedure*. Before the actual test of any monorail scale is begun, a thorough visual inspection should be made of the scale installation. The suspension of the lever system should be noted, with particular attention being directed to the plumb and level condition of levers and connections, proper alignment and clearance between the weigh rail and dead rail, and efficient functioning of the checks. The weighbeam shelf brackets or pillars, or the dial cabinet should be firmly anchored to a solid foundation. Counterpoise weights should be free of grease and foreign matter. The pivots, bearings, and other working parts should be inspected for rust and corrosion.

(2) *Test procedure—weighbeam scales*. (i) *Methods of determining errors*: One method commonly used to determine errors during the test of a scale equipped with a weighbeam is known as the error weight procedure. This method is recommended as the more precise procedure and is explained in the following paragraphs. Another method commonly used to determine errors is by careful use of the weighbeam poise.

(ii) *Zero-load balance*: Carefully balance the scale at zero with 2 to 5 pounds of small denomination weights and the hooks, chains, or the like suspended from the weigh rail. These error weights will be used to accurately measure errors and balance changes during the test. The balance ball is not to be moved during the remainder of the test.

(iii) *The SR (sensitivity response) value at zero load* should be determined by increasing or decreasing the amount or error weights necessary to move the weighbeam from a position of rest in the center of the trig loop to a position of rest either at the top or bottom of the trig loop.

(iv) *Shift test*: Test weights equal to one-half scale capacity should be suspended successively from each end of the weigh rail. Standard test weights should be substituted for the counterpoise weights used commercially with the scale. The amount of any error is determined by increasing or decreasing the amount of error weights necessary to bring the weighbeam to correct balance. After the shift test is completed, all test weights should be removed from the load-receiving element, and the zero-load balance should be checked.

(v) *Increasing-load test*: The test load should be increased by appropriate increments with the load distributed or centered on the weigh rail and observations made at each successive test load. The increasing-load test should be continued until scale capacity (or "maximum used" capacity) is reached. Standard test weights should be substituted for the counterpoise weights used commercially with the scale. (It is appropriate to note here that the tolerance for a ratio test would be applicable to the shift test and increasing load test as outlined in subdivision (iv) of this subparagraph and this subdivision (v).)

(vi) *The SR (sensitivity response) value at maximum load* should be determined as described in subdivision (iii) of this subparagraph.

(vii) *Counterpoise weight test*: The preferred procedure for testing the counterpoise weights used commercially with the scale is by using an equal-arm balance. However, in the absence of a precision balance, it is acceptable to use the scale under test to check the accuracy of the counterpoise weights. An important factor which merits consideration is the repeatability of the scale. With the maximum load still suspended from the load-receiving element, and standard test weights on the counterpoise hanger, make a precise determination of any error in the scale. Then each counterpoise weight should be individually substituted for a standard test weight of equal nominal value and a precise determination made of any error. If there is a difference in the weight indication when using all standard test weights and when substituting each commercial counterpoise weight for a standard test weight, this difference should be noted. Those counterpoise weights which are found to cause an error different from those indicated when using standard test weights should be either adjusted or replaced. When all counterpoise weights have been tested, remove the test load from the load-receiving element and recheck the zero-load balance.

(viii) *Weighbeam test*: On a scale equipped with a weighbeam, each bar of the weighbeam should be tested at one-half and full capacity.

(ix) *At the completion of the test* all hooks, chains, and error weights should be removed from the load-receiving element, and the correct zero-load balance established.

(3) *Test procedure—automatic-indicating scales*. (i) *Zero-load balance*: Carefully balance the scale so that the indicator coincides with the zero graduation on the reading-face. If the scale is equipped with a weight recorder, the recorder should be activated so that a comparison can be made of the recorded and visual zero-load balance. (SR requirements are not applicable to automatic-indicating scales.)

(ii) *Shift test*: Test weights equal to one-half scale capacity should be suspended successively from each end of the weigh rail.

(iii) *Increasing-load test*: Automatic-indicating scales should be tested at least

at the four points representing each quarter of the reading-face capacity, and also at intermediate points in the range of greatest use. If the scale is equipped with unit weights, the accuracy of each weight should be determined.

(iv) *Decreasing-load test*: The decreasing-load test shall be conducted on automatic-indicating scales only and with a test load equal to one-half of the maximum applied test load, approximately centered on the load-receiving element of the scale.

(v) *The capacity and tare bars of an automatic-indicating scale* should be tested at one-half and full capacity.

(vi) *When an automatic-indicating scale equipped with a weight recorder is tested*, the actual printed weight determines the error. However, both the recorded weight values and the visual weight indications should be within the prescribed tolerance. (Each time the test load is removed from the load-receiving element, the zero-load balance should be checked.)

(4) *Test procedure—motion-weighting scales*. (i) *The scale should be tested with a static test weight load as outlined under test procedures for automatic-indicating scales*.

(ii) *When a second scale is installed in the weighing system, for use if the motion-weighting scale should malfunction or to check the weight values determined by the motion-weighting scale*, this second scale should be tested following the procedure outlined for weighbeam or automatic-indicating scales, whichever is applicable.

(iii) *A dynamic test of the motion-weighting scale should be made with the conveyor system in operation*. By means of the special hooks used with this type of scale, suspend various loads of test weights from the conveyor system, i.e., 50 pounds, 100 pounds, 150 pounds, etc., up to and including the maximum load weighed. Weight values will be recorded for the various increments of test load as they move across the weigh rail.

(iv) *The weight values recorded by the automatic data processing system while the various test loads are in motion should be compared with the nominal value of the various test loads*. If a punched tape system is used to record weight values, this tape should be run through the IBM recorder or similar device to determine the recorded weight values. If weight values are digitally recorded, a visual comparison can be made.

(v) *The zero-load balance should be rechecked at the conclusion of the test*.

(g) *Record of test results*. The results of each test should be recorded in full detail on an official form, PS-218, provided by the Administration. (An exception may be made for a State, county, or municipal agency which utilizes forms supplying substantially the same information as is provided on the official Administration form.) Essential information includes:

(1) *Identification of the scale by ownership, location, manufacturer, nominal capacity, and serial number*;

(2) Name and address of the scale testing agency;

(3) The value of the minimum graduated interval, maximum load weighed, and description of the scale indicating elements, i.e., weighbeam, dial, printer, weight-o-graph;

(4) A notation if the weighing is static or in motion;

(5) Dates of the present test, the last test, and the year the scale was installed; and

(6) The SR value at zero and maximum load, the position and amount of applied test weights, any errors developed during the test, and the amount of any zero-load balance change.

There should be included a report of any adjustment or repairs made at the time of test, and of any recommendations made for future repairs, maintenance or replacement in the space provided for this purpose. The test results and other observations are to be recorded on the report under the proper headings as the test proceeds and immediately after observations are made. An original and two carbon copies of the report must be prepared. The original must be forwarded to the area supervisor of the Packers and Stockyards Administration. One copy is for the scale owner, and one for the scale testing agency. Sample reports of weighbeam and dial monorail scale tests conducted in compliance with official instructions are available upon request to the area supervisor or may be obtained from the Washington office of the Administration.

[F.R. Doc. 68-10069; Filed, Aug. 20, 1968; 8:51 a.m.]

Chapter III—Consumer and Market- ing Service (Meat Inspection), De- partment of Agriculture

SUBCHAPTER A—MEAT INSPECTION REGULATIONS

PART 327—IMPORTED PRODUCTS

Eligibility of Foreign Countries for Importation of Product Into the United States

On June 20, 1968, there was published in the FEDERAL REGISTER (33 F.R. 9091), a notice of a proposal to amend § 327.2 of the Federal Meat Inspection Regulations (9 CFR 327), to change paragraph (b) to include the words "Colombia" and "Hungary" in alphabetical order in the list of countries specified therein from which certain products (meat, meat food product, and meat byproduct) may be imported into the United States as provided in said regulations.

After due consideration of all relevant matters in connection with the notice of proposed rule making and under the authority of the Federal Meat Inspection Act (34 Stat. 1260, 21 U.S.C. 71-91, as amended by 81 Stat. 584), paragraph (b) of § 327.2 is hereby amended to read as follows:

§ 327.2 Eligibility of foreign countries for importation of product into the United States.

(b) It has been determined that product from the following countries, covered by foreign meat inspection certificates of the country of origin as required by § 327.6, except fresh, chilled, or frozen, or other product ineligible for importa-

tion into the United States from countries in which the contagious and communicable disease of rinderpest, or of foot-and-mouth disease, or of African swine fever exists as provided in Part 94 of Chapter I of this Title, is eligible for importation into the United States after inspection and marking as required by the applicable provisions of Parts 301 through 328 of this subchapter.

Argentina.	Ireland (Eire).
Australia.	Italy.
Austria.	Japan.
Belgium.	Luxembourg.
Brazil.	Mexico.
Canada.	Netherlands.
Colombia.	New Zealand.
Costa Rica.	Nicaragua.
Czechoslovakia.	Northern Ireland.
Denmark.	Norway.
Dominican Republic.	Panama.
England and Wales.	Paraguay.
Finland.	Poland.
France.	Scotland.
Germany (Federal Republic).	Spain.
Guatemala.	Sweden.
Haiti.	Switzerland.
Honduras.	Uruguay.
Hungary.	Venezuela.
Iceland.	Yugoslavia.

Effective date. This amendment shall become effective 30 days after publication in the FEDERAL REGISTER.

(Secs. 20 and 21, 34 Stat. 1260, as amended by 81 Stat. 584; 29 F.R. 16210, as amended; 32 F.R. 11741)

Done at Washington, D.C. this 16th day of August 1968.

R. K. SOMERS,
Deputy Administrator,
Consumer Protection.

[F.R. Doc. 68-10068; Filed, Aug. 20, 1968; 8:51 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 141]

GENERAL FOREST REGULATIONS

Timber Cutting Permits

AUGUST 9, 1968:

This notice is published in the exercise of authority (hereinafter referred to), delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2. Pursuant to the authority vested in the Secretary of the Interior by the Revised Statutes, sections 161, 463, and 465 (5 U.S.C. 301; 25 U.S.C. 2 and 9), it is proposed to amend Chapter I of Title 25, Code of Federal Regulations, Subchapter M, by the revision of § 141.19, to read as set forth below. The purpose of this amendment is to permit exceptions in special circumstances to the requirement of sole beneficial interest in an allotment, before the Special Allotment Timber Cutting Permit may be used for cutting and selling of designated timber from such allotment; and to make editorial changes.

Interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment, to the Bureau of Indian Affairs, Washington, D.C. 20242, within 30 days of the date of publication of this notice in the FEDERAL REGISTER. As so amended, § 141.19, in its entirety, will read as follows:

§ 141.19 Timber cutting permits.

(a) Except as provided in § 141.20, all timber cutting that is not done under formal contract, pursuant to § 141.12, shall be done under timber cutting permit forms approved by the Secretary. Permits will be issued only with the consent of the authorized representatives of the tribe for unallotted lands, and with the consent of the Indian owner or the Secretary, for allotted lands, as authorized in § 141.13(b). Such consents to the issuance of cutting permits shall stipulate the minimum stumpage rates at which timber may be sold under permit.

(b) Free-use cutting permits may be issued for specified species and types of forest products by persons authorized under § 141.13 to execute timber contracts. Timber cut under this authority may be limited as to sale or exchange for other goods or services.

(c) An Indian having sole beneficial interest in an allotment may be issued an approved form of special permit to cut and sell designated timber from such allotment. The special permit shall include provision for payment by the Indian of administrative expenses pursuant to § 141.18. The permit shall also require the Indian to make a deposit with

the Secretary to be returned to the Indian upon satisfactory completion of the permit or to be used by the Secretary in his discretion for planting or other work to offset damage to the land or the timber caused by the Indian's failure to comply with the provisions of the permit. As a condition to granting a special permit under authority of this paragraph, the Indian may be required to provide evidence acceptable to the Secretary that he has arranged a bona fide sale of the timber to be cut, on terms that will protect the Indian's interests. In special cases, the Secretary may authorize exceptions to the requirement of sole beneficial interest in an allotment.

Permits to be valid must be approved by the Secretary. The stumpage value which may be cut in 1 calendar year by any individual under authority of paragraphs (a) and (b) of this section shall not exceed \$500, but this limitation shall not apply to cutting under authority in paragraph (c) of this section. Essential departures from the fundamental requirements for issuance of special allotment timber cutting permits under authority of paragraph (c) of this section shall be made only with the approval of the Secretary.

ROBERT L. BENNETT,
Commissioner.

[F.R. Doc. 68-10024; Filed, Aug. 20, 1968;
8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

[9 CFR Part 112]

Viruses, Serums, Toxins, and Analogous Products

LABELS

Notice is hereby given in accordance with the provisions contained in section 553(b) of Title 5, United States Code (1966), that it is proposed to amend certain of the regulations relating to viruses, serums, toxins, and analogous products in Part 112 of Title 9, Code of Federal Regulations, issued pursuant to the provisions of the Virus-Serum-Toxin Act of March 4, 1913 (21 U.S.C. 151-158).

The proposed amendments to Part 112 deletes the words "and sample" from the heading and up-dates the index; defines "label" and "labeling" by adding a paragraph § 112.1(d); changes the reference to § 102.4(d) in § 112.2(a)(2) to 102.4(e); in § 112.2(a)(4) provides for use of hyphenated serial number in labels for combination packages; changes the requirements for quantity of contents in § 112.2(a)(7); rewords the reference to temperature in § 112.2(a)(8); exempts diagnostic or desensitizing agents from § 112.2(a)(9); provides special label re-

quirements for vaccine virus in § 112.2(a)(11); provides withholding statement requirements in § 112.2(a)(15); provides for potency statement in § 112.2(a)(16); provides special requirements for autogenous bacterin labels in § 112.2(a)(17); provides label requirements when restricting sales to veterinarians in § 112.2(e); provides for accurate labeling of diluent in § 112.3(c); requires instructions for temperature control of diluent when used § 112(3)(h); corrects reference to permit number in § 112.4(b); notice of available forms given in § 112.5(a); deletes reference to "inspector in charge" in § 112.5(b); § 112.5(c) is reworded to prohibit faded or smeared labels; requires submission of labels when requested by the Director in § 112.5(d) instead of on February 1 of each year; changes packaging requirements for multiple dose poultry product in § 112.6(b) and § 112.6(d); § 112.7 is established for special additional requirements; moves requirements for tuberculin label in § 112.2(a)(11) to § 112.7(a); moves freezing requirements for Brucella abortus vaccine and rabies vaccine labels from § 112.2(a)(8) to § 112.7(b); provides special caution statement for labels on products containing Newcastle Disease virus in § 112.7(c); provides in § 112.7(d) that the type of infectious bronchitis virus used be shown on vaccine labels; and provides in § 112.7(e) warning statement for rabies vaccine cartons and circulars as to the animals which can be safely vaccinated.

1. Part 112 title and index is amended to read as follows:

PART 112—LABELS

Sec.	
112.1	Containers.
112.2	Required and permitted information.
112.3	Diluent labels.
112.4	Reference to distributors and permittees.
112.5	Review and approval of labels and other material.
112.6	Packaging desiccated products.
112.7	Special additional requirements.
112.26	Collection, marking and handling of samples.
112.27	Selection for laboratory testing.

AUTHORITY: The provision of this Part 112 issued under 37 Stat. 832-833; 21 U.S.C. 151-158.

2. Section 112.1 is amended by adding a new paragraph (d) to read as follows:

§ 112.1 Containers.

(d) When used in regulations Parts 101 through 121 of this subchapter—

(1) The term "label" means all written, graphic, or printed matter upon or attached to a final container, a carton used to package a final container, or an enclosure, sometimes herein referred to as a circular or leaflet, packaged in a carton with a final container; and any statement or other information required to

be on the label, unless otherwise specified, shall also appear on the final container and such carton, if any, of the finished product.

(2) The term "labeling" means all labels and other written, graphic, or printed matter (i) upon the final container or packaging, or (ii) accompanying the final container.

3. Section 112.2 is amended by revising paragraph 112.2(a) and adding a new paragraph 112.2(e) to read:

§ 112.2 Required and permitted information.

(a) Except as provided by the Director, each label of a biological product prepared at a licensed establishment or imported shall include the following:

(1) The true name of the product which name shall be identical with that shown in the license or permit under which the product is prepared or imported and shall be prominently lettered and placed giving equal emphasis to each word composing it;

(2) In case the product is manufactured in the United States, the name and address of the licensee, or of the subsidiary which manufactured the product, when named in the establishment license as provided in § 102.4(e) of this subchapter, and in the case of a foreign-manufactured biological product offered for importation, the name and address of the permittee and of the foreign manufacturer: *Provided*, That when the licensee has more than one premise, one street address only shall be given, although the general location of each premise in such case may be stated;

(3) The license or permit number assigned by the Department which shall be shown only in one of the following forms, respectively: "U.S. Veterinary License No. ----," or "U.S. Vet. License No. ----," or "U.S. Veterinary Permit No. ----," or "U.S. Vet. Permit No. ----";

(4) A serial number by which the product can be identified with the manufacturer's records of preparation: *Provided*, That when a liquid fraction is to be used as the diluent for one or more desiccated fractions in a combination package, a hyphenated serial number composed of the serial number of the desiccated vaccine and that of the liquid vaccine shall be on the label of the carton used to package the final container.

(5) A permitted expiration date affixed before the product is removed from the manufacturer's establishment;

(6) A dosage table and full instructions for the proper use of the product or a statement in the case of very small labels as to where such information is to be found;

(7) The recoverable quantity of the contents of each final container.

(8) Instructions to keep the biological product at a temperature of not over 45° F.

(9) In the case of a multiple-dose container, a warning that all of the product should be used at the time the container is first opened, except as provided in subparagraphs (13) and (14) of this paragraph;

(10) In the case of a product composed of viable or dangerous organisms or viruses, the notice "Burn this container and all unused contents" prominently placed and lettered and affixed to the final container of such product;

(11) In the case of Vaccine Virus, the true name of the biological product shall be supplemented with: (i) The attenuation level as Live Virus, Modified Live Virus, Killed Virus, or Inactivated Virus; (ii) "Formalin Killed Virus" or "Chemically Inactivated" will be permitted. "Phenolized" will be permitted for Rabies Vaccine, Nerve Tissue Origin; (iii) The methods used to propagate the virus shall be designated on each label; and (iv) a designation of the animal of origin for all tissues used in production, shall be on each label. Commonly accepted designations such as Chick or Chicken, Duck, Turkey, Avian, Canine, Feline, Ovine, Equine, and Bovine shall be permitted. Abbreviations shall be permitted if defined on all labels and enclosures.

(12) In the case of a product which contains an antibiotic added during the production process, the statement "Contains ---- as a preservative," or an equivalent statement indicating the antibiotic added, except that the label affixed to the final container is exempt from this requirement provided this statement appears on a carton label containing such final container;

(13) In the case of a desiccated biological product which is to be added to a diluent and never returned to the original container, all labels for such desiccated biological product are exempt from the provisions of subparagraph (9) of this paragraph;

(14) In the case of diagnostic or desensitizing antigens which are packaged as multiple-dose containers, all labels are exempt from the provisions of subparagraph (9) of this paragraph;

(15) Biological products recommended for use in domestic animals, the edible portions of which may be used for food purposes, shall have a withholding statement "Do not vaccinate within ---- days before slaughter" on all labels showing the required number of days for the type of products specified in subdivisions (i), and (ii) of this subparagraph; *Provided*, That longer periods shall be stated when deemed necessary by the Director;

(i) The withholding statement shall be not less than 21 days for the products containing adjuvants or precipitating agents;

(ii) The withholding statement shall be not less than 14 days for the products containing live microorganisms; *Provided*, That when a longer withholding period for a biological product such as Anthrax Spore Vaccine is specified in regulations pertaining to livestock slaughter, the longer period shall be used.

(16) The label on each final container, the carton used to package such final container, and required enclosures shall contain the statement "No U.S. Standard of Potency" if standard requirements have not been established by the Division for evaluating the potency of the

biological product and the same required statement shall be used with respect to each fraction of the combination product for which no standard requirement for potency has been established by the Division.

(17) In the case of Autogenous Bacterins, all labels shall designate the animal of origin from which the organisms used for seed were isolated and include the statement: "No U.S. Standard of Potency. The product is to be used only in the herd or flock from which the organisms were isolated;" and

(18) All other similar information required by the Director.

(e) Restricted sales to veterinarians shall be permitted and so stated on the labels; *Provided*, That the entire production of the product by the licensee involved shall be so restricted. The phrase "For Veterinary Use Only" or an equivalent statement may be used to indicate a product is recommended specifically for animals and not for humans.

4. Section 112.3 is amended by revising paragraph 112.3(c) and adding a new paragraph 112.3(h) to read:

§ 112.3 Diluent labels.

(c) The recoverable quantity of contents in cubic centimeters.

(h) Instructions that the temperature of the diluent shall not exceed 45° F. when used.

5. Section 112.4 is amended by revising paragraph 112.4(b) to read:

§ 112.4 Reference to distributors and permittees.

(b) *Permittees*. The name and address of a permittee shall not be placed on the labels or containers of an imported biological product in such manner as to indicate that he is the manufacturer of such product. Reference to such permittee shall be made by name, address, and U.S. Veterinary Biological Product Permit number only.

6. Section 112.5 is revised to read:

§ 112.5 Review and approval of labels and other material.

(a) Except as otherwise provided in this section quadruplicate copies of all labels, circulars, and enclosures distributed with biological products prepared by licensed establishment or imported shall be submitted to the Director for review and approval before they are placed in use. For the convenience and guidance of licensees and permittees, sketches or proofs of new labels and the like may be submitted in triplicate to the Director for review and approval, and in this case the preparation of finished labels and the like shall be deferred until copies of such sketches or proofs are returned to the licensee or permittee. Blank transmittal forms will be furnished upon request to the Veterinary Biologics Division.

(b) Tags, stickers, and the like used to identify products or materials during process of production or testing, if not false or deceptive, may be used by licensees.

(c) Labels stamped or printed directly to the final container or glued thereto shall be permanently legible throughout the dating period. Biological products shall be withheld from the market if such labels have been altered, mutilated, destroyed, obliterated, or removed.

(d) When requested by the Director, licensees and permittees shall submit lists of labels, cartons, and required enclosures which they will continue in actual use. Each shall be properly identified by name of product, date of approval, the number assigned by the Division when approved.

7. Section 112.6 is amended by revising paragraph 112.6(b) and adding a new paragraph 112.6(d) to read:

§ 112.6 Packaging desiccated products.

(b) Except as provided in paragraph (d) of this section, only one multiple dose final container of a desiccated biological product and its accompanying container of diluent shall be packaged in an appropriately labeled box or carton.

(d) When a biological product is designed to be administered to poultry in a manner other than individual bird vaccination, multiple dose containers, not to exceed 1,000 doses per vial and not to exceed 10 vials per package, may be marketed in a single appropriately labeled carton with accompanying containers of diluent; *Provided*, That (1) The package must have a complete, overlapping, wrap-around label or seal which must be broken in order to open the package, and (2) Have a required statement prominently placed on the carton label to the effect that, "Federal regulations prohibit the repackaging or sale of the contents of this package in fractional units. Do not accept if seal is broken;" and (3) Only one enclosure (direction sheet) shall be supplied in each carton.

8. Part 112 is amended by adding a new section 112.7 to read:

§ 112.7 Special additional requirements.

(a) In the case of subcutaneous tuberculin, a statement indicating the quantity of Koch's old tuberculin (K.O.T.) in each cubic centimeter, disk, or the like of the biological product, and recommendation regarding the minimum dose to be administered; *Provided*, That this dose for subcutaneous use shall be not less than the equivalent of 0.5 gram K.O.T.;

(b) In the case of liquid Brucella abortus vaccine and rabies vaccine, all carton labels and enclosures shall include a warning against freezing.

(c) In the case of vaccines containing live Newcastle Disease virus, a caution statement indicating that Newcastle Disease virus can cause inflammation of the eyelids of humans, and a warning to the

user to avoid infecting his eyes shall be included on the label.

(d) In the case of vaccine containing infectious bronchitis virus, labels and enclosures shall show the infectious bronchitis virus type or types used in the product. Abbreviation is permitted.

(e) In the case of vaccines containing live rabies virus, a warning statement on carton labels and enclosures in large bold-faced print, preferably in red, must be shown as follows: **FOR USE IN— ONLY! NOT FOR USE IN ANY OTHER ANIMAL!** More than one animal may be listed provided safety has been adequately proven.

Interested persons are invited to submit written data, views, or arguments regarding the proposed regulations to the Veterinary Biologics Division, Federal Center Building, Hyattsville, Md. 20782, within 60 days after date of publication of this notice in the FEDERAL REGISTER.

All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

Done at Washington, D.C., this 15th day of August 1968.

R. J. ANDERSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 68-10027; Filed, Aug. 20, 1968;
8:49 a.m.]

Consumer and Marketing Service

[7 CFR Part 26]

GRAIN STANDARDS

Grain Inspection Points in Louisiana

On December 12, 1967, there was published in the FEDERAL REGISTER (32 F.R. 17677) a notice authorizing the Louisiana Department of Agriculture to station licensed grain inspectors to inspect and grade grain under the U.S. Grain Standards Act (7 U.S.C. 71 et seq.) at the following places in Louisiana: Ama, St. Charles Parish and Reserve, St. John the Baptist Parish.

No licensed grain inspectors have been stationed at Ama and Reserve because the export elevators at Ama and Reserve are still under construction.

The U.S. Department of Agriculture has been requested to transfer the authorization to station licensed grain inspectors at Ama and Reserve from the State agency to private inspection agencies. Accordingly, it is proposed that the authorization to the Louisiana Department of Agriculture to station licensed grain inspectors at Ama, St. Charles Parish and Reserve, St. John the Baptist Parish, be rescinded without prejudice; that the South Louisiana Port Inspection and Weighing Board, Inc., be authorized to station licensed grain inspectors at Ama, St. Charles Parish; and that the Destrehan Board of Trade be authorized to station licensed grain inspectors at Reserve, St. John the Baptist Parish. It has been proposed that, if the action

described above is taken, the effective date thereof be on or about October 1, 1968.

Opportunity is hereby afforded interested parties to submit written data, views, or arguments with respect to this matter to the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250. All written submissions should be in duplicate and should be submitted to the Hearing Clerk not later than September 10, 1968. All submissions made pursuant to this notice will be made available for public examination at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)). Consideration will be given to all written data, views, and arguments received by the Hearing Clerk and to other information available to the U.S. Department of Agriculture before final determination is made with respect to the proposal.

(Sec. 8, 39 Stat. 485; 7 U.S.C. 84)

Done at Washington, D.C. this 16th day of August 1968.

G. R. GRANGE,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 68-10032; Filed, Aug. 20, 1968;
8:49 a.m.]

[7 CFR Part 923]

HANDLING OF SWEET CHERRIES GROWN IN DESIGNATED COUNTIES IN WASHINGTON

Approval of Expenses and Fixing of Rate of Assessment for 1968-69 Fiscal Period and Carryover of Unexpended Funds

Consideration is being given to the following proposals submitted by the Washington Cherry Marketing Committee, established under the marketing agreement and Order No. 923 (7 CFR Part 923) regulating the handling of sweet cherries grown in designated counties in Washington, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof:

(1) That expenses that are reasonable and likely to be incurred by said committee, during the period April 1, 1968, through March 31, 1969, will amount to \$12,884.

(2) That there be fixed, at \$0.80 per ton of sweet cherries, the rate of assessment payable by each handler in accordance with § 923.41 of the aforesaid marketing agreement and order.

(3) That unexpended assessment funds, in excess of expenses incurred during the fiscal period ended March 31, 1968, shall be carried over as a reserve in accordance with the applicable provisions of § 923.42 of said marketing agreement and order.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals should file the same, in quadruplicate, with the

Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 10th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: August 16, 1968.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 68-10031; Filed, Aug. 20, 1968; 8:49 a.m.]

[7 CFR Part 1016]

[Docket No. AO-312-A14]

MILK IN UPPER CHESAPEAKE BAY (MARYLAND) MARKETING AREA

Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Frederick, Md., on January 25, 1968, pursuant to notice thereof issued on January 5, 1968 (33 F.R. 378).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Administrator on June 24, 1968 (33 F.R. 9505; F.R. Doc. 68-7718), filed with the Hearing Clerk, U.S. Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issues, findings and conclusions, rulings, and general findings of the recommended decision (33 F.R. 9505; F.R. Doc. 68-7718) are hereby approved and adopted and are set forth in full herein subject to the following modification:

Under the heading "1. Expansion of the marketing area," two new paragraphs are added immediately after the seventh paragraph.

The material issues on the record of the hearing relate to:

1. Expansion of the marketing area; and
2. Regulation of plants subject to other Federal orders.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. **Expansion of the marketing area.** The Upper Chesapeake Bay marketing area should be enlarged to include Fort Ritchie in Washington County, Md.

This marketing area expansion was proposed by a cooperative association which operates a distributing plant regulated under the Upper Chesapeake Bay

order, and a distributing plant and two supply plants regulated under the Washington, D.C., order.

Fort Ritchie, a Federal military installation, is near the Frederick County, Md., boundary of the Upper Chesapeake Bay marketing area. The contract to supply Fort Ritchie is let, usually for 6-month periods, on a bid basis. The quantities of milk covered by the contract range from 130,000 to 150,000 pounds monthly. About 7 percent of the milk covered by the contract is delivered to Fort Detrick and about 1 percent to the East Coast Relay Station, both of which military installations are in the Upper Chesapeake Bay marketing area. Any federally unregulated handler supplying the Fort Ritchie contract must account for deliveries to these "in-area" installations as a partially regulated distributing plant under the Upper Chesapeake Bay order.

Fort Ritchie is an integral part of the sales area that has historically been served by handlers who are now fully regulated by the Upper Chesapeake Bay or Washington, D.C., orders. Prior to the inception of the Upper Chesapeake Bay and Washington, D.C., orders in 1960 and 1959, respectively, the Fort Ritchie contract was supplied by these handlers. In the 10 to 12 years before the inception of these orders a Frederick, Md., handler (as an unregulated distributor) supplied Fort Ritchie most of the time. Since the orders became effective, this handler has been fully regulated each month under either the Upper Chesapeake Bay or Washington order.

Between the inception of the Upper Chesapeake Bay order in 1960 and late 1964 the Frederick handler was a successful bidder on the Fort Ritchie contract about half the time. Since then, although bidding on all contracts but one, he has not been a successful bidder on any. He stated that although he had bid "at cost" on the last contract, an unregulated distributor underbid him and was awarded the contract.

Currently, several Upper Chesapeake Bay and Washington, D.C., order handlers and an unregulated distributor in Washington County bid regularly for the Fort Ritchie contract. Since late 1964, when he began bidding on it, an unregulated distributor was awarded the contract six out of eight times on the basis of having submitted the lowest bid. The other two times the contract was awarded to an Upper Chesapeake Bay order plant. On one of these two occasions the unregulated distributor had submitted the lowest bid but was not awarded the contract for technical reasons.

In view of the above, it is concluded that Fort Ritchie is an integral part of the sales area of Upper Chesapeake Bay handlers and should be included in the Upper Chesapeake Bay marketing area.

This marketing area expansion should not be made effective until January 1, 1969. All fluid milk sales at Fort Ritchie are handled through supply contracts. Recent contracts have been for 6-month periods that cover January through June

and July through December. As pointed out by the unregulated distributor in his exceptions, the earliest possible effective date of this amendment would be after the letting of the contract for the July-December 1968 period. He urged that if Fort Ritchie is added to the Upper Chesapeake Bay marketing area, that action should not be made effective before the current contract is completed.

Until handlers are again invited to submit bids on the Fort Ritchie contract, they have no opportunity to compete for the sales at this installation. Thus, immediate effectuation of the marketing area expansion is not necessary to assure orderly marketing in the proposed enlarged marketing area.

The unregulated distributor supplying Fort Ritchie opposed its addition to the marketing area. His Class I sales in the marketing area, which presently are limited to his deliveries to Fort Detrick and the East Coast Relay Station, are about 4 percent of his receipts from dairy farmers. His deliveries to Fort Ritchie are about 15 percent of such receipts. On the basis of his present sales pattern, this distributor's plant will qualify as a pool plant under the Upper Chesapeake Bay order if Fort Ritchie is added to the marketing area.

Testimony presented by the proponent cooperative, the regulated Frederick handler, and the representative of the major cooperative in the market indicates that the unregulated distributor pays his dairy farmers approximately the Upper Chesapeake Bay uniform price for milk utilized for Class I purposes. The unregulated distributor, about 95 percent of whose receipts is used in fluid milk products, did not refute this testimony.

The unregulated distributor apparently is not purchasing bottling milk on a classified pricing plan. The Upper Chesapeake Bay uniform price in 1967 averaged \$5.68. The Class I price under the order that year averaged \$6.43, or 75 cents higher than the average uniform price. A distributor purchasing his bottling milk supply at the uniform price has a substantial price advantage over those who must pay not less than the Class I price under the order.

The unregulated distributor supplying Fort Ritchie proposed that if this installation is included in the marketing area the pooling standards should be changed. The Upper Chesapeake Bay order now requires that a pool distributing plant dispose of on routes in the marketing area at least 10 percent of its receipts from dairy farmers. The distributor proposed that this in-area sales requirement be 20 percent. The higher pooling standard, he stated, would allow him to continue supplying his present sales outlets without having his plant fully regulated.

The pooling standards should not be changed. The principal purpose of a minimum in-area sales requirement for pooling is to assure that the plant is associated with the market in a significant and regular manner. The present 10 percent requirement has been determined to be a reasonable and appropriate standard in this market for this purpose. There is no indication that this standard

will not continue to be reasonable and appropriate for the Upper Chesapeake Bay market. Plants selling at least 10 percent of their farm receipts in the proposed enlarged marketing area would be no less associated in a significant manner with the market than are plants having similar disposition in the present marketing area. Changing the pooling standard to accommodate the unregulated distributor is not necessary to maintain orderly marketing conditions in this market.

All producer milk received at regulated plants must be subject to classified pricing under the order regardless of whether it is disposed of within or outside the marketing area. Otherwise, the effect of the order would be nullified and the orderly marketing process would be jeopardized.

If only a pool handler's "in-area" sales were subject to classification, pricing, and pooling, a regulated handler with Class I sales both inside and outside the marketing area could assign any value he chose to his outside sales. He thereby could reduce the average cost of all his Class I milk below that of other regulated handlers having all, or substantially all, of their Class I sales within the marketing area. Unless all milk of such a handler were fully regulated under the order, he in effect would not be subject to effective price regulation. The absence of effective classification, pricing and pooling of such milk would disrupt orderly marketing conditions within the regulated marketing area and could lead to a complete breakdown of the order. If a pool handler were free to value a portion of his milk at any price he chooses, it would be impossible to enforce uniform prices to all fully regulated handlers or a uniform basis of payment to the producers who supply the market. It is essential, therefore, that the order price all the producer milk received at a pool plant regardless of the point of disposition.

2. *Regulation of plants subject to other Federal orders.* The present order provisions relating to distributing plants which meet the pooling requirements under the Upper Chesapeake Bay order and another Federal order in the same month should not be changed.

The order now provides that a plant having greater Class I sales on routes in the Upper Chesapeake Bay marketing area than on routes in another federally regulated marketing area during the month shall be pooled under the Upper Chesapeake Bay order. If a greater proportion of the route disposition is in the other marketing area and such plant is pooled under the other order, the plant is designated a nonpool plant for the month under the Upper Chesapeake Bay order.

The principal cooperative in the market proposed a so-called "lock-in" pooling provision to minimize or eliminate the shifting of a distributing plant between two orders because of a minor change in the plant's sales pattern. Under the proposal, the lock-in provision would apply to a distributing plant that quali-

fies for pooling under both the Upper Chesapeake Bay order and another order but which has greater route sales in the other marketing area. If the plant was pooled under the Upper Chesapeake Bay order the previous month, it would continue to be so pooled until the third consecutive month in which a greater proportion of the plant's route sales is in the other marketing area. If the other order did not have a complementary pooling provision but required that the plant be pooled under such other order, the plant would be exempt from all but the reporting provisions of the Upper Chesapeake Bay order.

The cooperative proposed also that if the operator of or a cooperative supplying a distributing plant subject to another order that also qualifies as an Upper Chesapeake Bay pool plant submits such a request, the Secretary may exclude for specified periods Class I sales made under limited-term contracts to governmental institutions and bases in the marketing area of either order in determining the order under which the plant would be pooled.

Proponent contended that the proposed provisions would be particularly helpful in marketing reserve milk supplies and in assuring member-producers of maximum bases under base-excess payment plans.

The circumstances prompting the proposals involve a distributing plant at Frederick, Md., that obtains its entire milk supply from the proponent cooperative. Since the inception of the Upper Chesapeake Bay order in February 1960, regulation of this plant has shifted between this order and the Washington order eight times. Six of these shifts have occurred since September 1965. In most cases, such shifts occurred because military contracts secured by the plant resulted in the plant temporarily having more route sales in the Washington market than in the Upper Chesapeake Bay market. The contracts usually have been for 3- or 6-month periods.

Proponent claimed that the shifting of this plant between markets presents particular marketing problems. Under which order the plant will be regulated for a certain month is often not known by the cooperative until the following month. This is when the handler is required to submit his report to the market administrator regarding his previous month's Class I sales. The cooperative may make certain operating decisions during the month based on the assumption that the plant is an Upper Chesapeake Bay pool plant. The following month the cooperative may find that the plant, because of its changed sales pattern, was in fact a Washington order pool plant. This situation, proponent argued, results in considerable uncertainty in the marketing of milk of member-producers.

The provisions proposed by the cooperative for the Upper Chesapeake Bay order could not be operative under the order without complementary provisions in the Washington order or any other order that might be involved. The Wash-

ington order and other nearby orders do not contain such provisions and no proposal was made to incorporate similar provisions in them. Where such provisions have been adopted in other orders, the provisions were incorporated at the same time in both of the orders involved with the regulation of a particular plant. Such action was taken only after it was shown that there was a common interest among producers in both markets for the provisions. Such common interest apparently does not prevail in the Washington and Upper Chesapeake Bay markets.

It is recognized that the frequent shifting of the Frederick plant between orders may be causing certain operating problems for the proponent cooperative. Adoption of the proposed provisions for the Upper Chesapeake Bay order alone, however, would serve no useful purpose since they would not be operative. Requests for similar provisions in other orders can be expected only when producers under the other orders believe that such provisions will be mutually beneficial.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings, and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed

to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

RULINGS ON EXCEPTIONS

In arriving at the findings and conclusions, and the regulatory provisions of this decision, the exceptions received were carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings and conclusions, and the regulatory provisions of this decision are at variance with any of the exceptions, such exceptions are hereby overruled for the reasons previously stated in this decision.

MARKETING AGREEMENT AND ORDER

Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Upper Chesapeake Bay (Maryland) Marketing Area," and "Order Amending the Order Regulating the Handling of Milk in the Upper Chesapeake Bay (Maryland) Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

REFERENDUM ORDER; DETERMINATION OF REPRESENTATIVE PERIOD; AND DESIGNATION OF REFERENDUM AGENT

It is hereby directed that a referendum be conducted to determine whether the issuance of the attached order, as amended and as hereby proposed to be amended, regulating the handling of milk in the Upper Chesapeake Bay (Maryland) marketing area, is approved or favored by the producers, as defined under the terms of the order, as amended and as hereby proposed to be amended, and who, during the representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

The month of May 1968 is hereby determined to be the representative period for the conduct of such referendum. E. Hickman Greene is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for the conduct of referenda to determine producer approval of milk marketing orders (7 CFR 900.300 et seq.), such referendum to be completed on or before the 30th day from the date this decision is issued.

Signed at Washington, D.C., on August 15, 1968.

ORVILLE L. FREEMAN,
Secretary.

ORDER¹ AMENDING THE ORDER REGULATING THE HANDLING OF MILK IN THE UPPER CHESAPEAKE BAY (MARYLAND) MARKETING AREA

§ 1016.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) Findings upon the basis of the hearing record. Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Upper Chesapeake Bay (Maryland) marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held;

(4) All milk and milk products handled by handlers, as defined in the order as hereby amended, are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in milk or its products; and

(5) It is hereby found that the necessary expense of the market administrator for the maintenance and functioning of such agency will require the payment by each handler, as his pro rata share of such expense, 5 cents per hundredweight or such amount not to exceed 5 cents per

¹ This order shall not become effective unless and until the requirement of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

hundredweight as the Secretary may prescribe, with respect to (a) producer milk (including such handler's own production) and milk received from a cooperative association in its capacity as a handler pursuant to § 1016.2(g)(4), (b) other source milk allocated to Class I pursuant to § 1016.46(a)(3) and (7), and the corresponding steps of § 1016.46(b), and (c) Class I milk disposed of from a partially regulated distributing plant on routes in the marketing area that exceeds Class I milk received during the month at such plant from pool plants and other order plants.

ORDER RELATIVE TO HANDLING

It is therefore ordered, That on and after the effective date hereof, the handling of milk in the Upper Chesapeake Bay (Maryland) marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby amended, as follows:

The provisions of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Administrator, on June 24, 1968, and published in the FEDERAL REGISTER on June 28, 1968 (33 F.R. 9505; F.R. Doc. 68-7718), shall be and are the terms and provisions of this order and are set forth in full herein:

Section 1016.1(c) is revised to read as follows:

§ 1016.1 General definitions.

(c) "Upper Chesapeake Bay marketing area," hereinafter referred to as the "marketing area," means all territory situated within the corporate limits of the city of Baltimore, the town of Laurel in Prince Georges County, Fort Ritchie, the counties of Anne Arundel, Baltimore, Caroline, Carroll, Cecil, Dorchester, Harford, Howard, Kent, Queen Annes, Somerset, Talbot, Wicomico, Worcester, and that portion of Calvert County lying north of a line beginning at the western terminus of Leitchs Wharf Road, continuing easterly along said road to its intersection with Stoakley Road, continuing easterly along said Stoakley Road to its intersection with Maryland State Highway 2, continuing northerly along said Highway 2, to its intersection with Maryland State Highway 263 and then easterly along said Highway 263 to its terminus at the Chesapeake Bay, and that portion of Frederick County lying north of a line beginning at the intersection of the Washington-Frederick County line with Alternate U.S. Route 40, following Alternate U.S. Route 40 easterly to the western boundary of the corporate limits of the city of Frederick, thence along the western, northern, and eastern boundary of the city to its eastern junction with Alternate U.S. Route 40, and then southeasterly along Alternate U.S. Route 40 to the Frederick-Carroll County line, all in the State of Maryland, together with all waterfront facilities connected therewith and including all territory within such boundaries occupied by Government

(Federal, State, or Municipal) installations, institutions, or other similar establishments.

[F.R. Doc. 68-10033; Filed, Aug. 20, 1968; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 121]

FOOD ADDITIVES

Polyethylene Glycol (Mean Molecular Weight 200-9,500); Proposal Regarding Specifications and Additional Uses in Food and in Food-Contact Articles

The Commissioner of Food and Drugs has received a petition (FAP 5B1496) from British Cellophane, Ltd., Bath Road, Bridgewater, Somerset, England, proposing an amendment to the food additive regulations to provide for use of polyethylene glycol (average molecular weight 200-300) as an optional substance in the manufacture of food-packaging cellophane.

The Commissioner has also received a petition (FAP 4L1477) from Olin Mathieson Chemical Corp., 1730 K Street NW., Washington, D.C. 20006, on behalf of itself, Allied Chemical Corp., The Dow Chemical Co., General Aniline & Film Corp., Jefferson Chemical Co., Inc., Union Carbide Corp., and Wyandotte Chemicals Corp., proposing the issuance of regulations to provide for use of polyethylene glycol (mean molecular weight 200-9,500) as a component of nonfood articles designed for food-contact use; as a component used in the processing of tableted foods, vitamin and mineral preparations, and nonnutritive sweeteners; and as a defoamer in food processing.

On the basis of the information submitted in the petitions, and other relevant material, the Commissioner proposes that:

A. Section 121.1185 be amended, as set forth below, to prescribe specifications and additional uses for polyethylene glycols employed as components of food.

B. Sections 121.1057 and 121.1121 be revoked since the proposed amendment herein to § 121.1185 would provide for the use of the additives as contemplated.

C. The below-identified items in §§ 121.1088, 121.1099, and 121.1179 be revised as indicated to effect consistency with the provisions of the proposed amendment to § 121.1185.

D. A new § 121.2513 be issued to prescribe specifications and additional uses for polyethylene glycols employed as components of food-contact articles.

E. The below-identified items be deleted from §§ 121.2001, 121.2507, 121.2514, 121.2526, 121.2551, 121.2562, and 121.2571 since the proposed new § 121.2513 would

provide for the use of the additives as contemplated.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409, 72 Stat. 1785 et seq.; 21 U.S.C. 348), and under the authority delegated to him (21 CFR 2.120), the Commissioner proposes that Part 121 be amended:

§ 121.1057 [Revoked]

1. By revoking § 121.1057 *Polyethylene glycol 6000*.

2. By revising in § 121.1088(c) the item "Polyoxyethylene glycol" to read as follows:

§ 121.1088 Boiler water additives.

(c) * * *	
	Limitations
Polyethylene glycol.	As defined in § 121.1185.

3. In § 121.1099(a) by deleting the item "Polyethylene glycol" from the list in subparagraph (3) and alphabetically inserting the item in the list in subparagraph (2) reading as follows:

§ 121.1099 Defoaming agents.

(a) * * *	
(2) * * *	
Substances	Limitations
Polyethylene glycol.	As defined in § 121.1185.

§ 121.1121 [Revoked]

4. By revoking § 121.1121 *Polyethylene glycol minimum molecular weight 1,300*.

5. In § 121.1179(b) by revising the items "Polyethylene glycol 400" and "Polyethylene glycol 6000" in subparagraphs (2) and (3), respectively, to read as follows:

§ 121.1179 Coatings on fresh citrus fruit.

(b) * * *	
(2) * * *	
Component	Limitations
Polyethylene glycol.	Complying with § 121.1185. As a defoamer and dispersing adjuvant.

(3) * * *	
Component	Limitations
Polyethylene glycol.	Complying with § 121.1185. As a defoamer and dispersing adjuvant.

6. By revising § 121.1185 to read as follows:

§ 121.1185 Polyethylene glycol (mean molecular weight 200-9,500).

Polyethylene glycol identified in this section may be safely used in food in accordance with the following prescribed conditions:

(a) *Identity*. (1) The additive is an addition polymer of ethylene oxide and water with a mean molecular weight of 200 to 9,500.

(2) It contains no more than 0.2 percent total by weight of ethylene and diethylene glycols when tested by the analytical methods prescribed in paragraph (b) of this section.

(b) *Analytical method*. (1) The analytical method prescribed in the U.S.P. XVII for polyethylene glycol 400 shall be used to determine the total ethylene and diethylene glycol content of polyethylene glycols having mean molecular weights of 450 or higher.

(2) The following analytical method shall be used to determine the total ethylene and diethylene glycol content of polyethylene glycols having mean molecular weights below 450.

ANALYTICAL METHOD

ETHYLENE GLYCOL AND DIETHYLENE GLYCOL CONTENT OF POLYETHYLENE GLYCOLS

The analytical method for determining ethylene glycol and diethylene glycol is as follows:

APPARATUS

Gas chromatograph with hydrogen flame ionization detector (Varian Aerograph 600 D or equivalent). The following conditions shall be employed with the Varian Aerograph 600 D gas chromatograph:

Column temperature: 165° C.
Inlet temperature: 260° C.
Carrier gas (nitrogen) flow rate: 70 milliliters per minute.

Hydrogen and air flow to burner: Optimize to give maximum sensitivity.

Sample size: 2 microliters.
Elution time: Ethylene glycol: 2.0 minutes. Diethylene glycol: 6.5 minutes.

Recorder: -0.5 to +1.05 millivolt, full span, 1 second full response time.

Syringe: 10-microliter (Hamilton 710 N or equivalent).

Chromatograph column: 5 feet x 1/8 inch. I.D. stainless steel tube packed with sorbitol (Matheson-Coleman-Bell 2768 Sorbitol SX850, or equivalent) 12 percent in H₂O by weight on 60-80 mesh nonacid washed diatomaceous earth (Chromosorb W, Johns-Manville, or equivalent).

REAGENTS AND MATERIALS

Carrier gas, nitrogen: Commercial grade in cylinder equipped with reducing regulator to provide 50 p.s.i.g. to the gas chromatograph.

Ethylene glycol: Commercial grade. Purify if necessary, by distillation.

Diethylene glycol: Commercial grade. Purify, if necessary, by distillation.

Glycol standards: Prepare chromatographic standards by dissolving known amounts of ethylene glycol and diethylene glycol in water. Suitable concentrations for standardization range from 1 to 6 milligrams of each component per milliliter (for example 10 milligrams diluted to volume in a 10-milliliter volumetric flask is equivalent to 1 milligram per milliliter).

STANDARDIZATION

Inject a 2-microliter aliquot of the glycol standard into the gas chromatograph employing the conditions described above. Measure the net peak heights for the ethylene glycol and for the diethylene glycol. Record the values as follows:

A = Peak height in millimeters of the ethylene glycol peak.

B = Milligrams of ethylene glycol per milliliter of standard solution.

C = Peak height in millimeters of the diethylene glycol peak.

D = Milligrams of diethylene glycol per milliliter of standard solution.

Procedure

Weigh approximately 4 grams of polyethylene glycol sample accurately into a 10-

milliliter volumetric flask. Dilute to volume with water. Mix the solution thoroughly and inject a 2-microliter aliquot into the gas chromatograph. Measure the heights, in millimeters, of the ethylene glycol peak and of the diethylene glycol peak and record as E and F, respectively.

$$\text{Percent ethylene glycol} = \frac{E \times B}{A \times \text{sample weight in grams}}$$

$$\text{Percent diethylene glycol} = \frac{F \times D}{C \times \text{sample weight in grams}}$$

(c) *Uses.* It may be used, except in milk or preparations intended for addition to milk, as follows:

(1) As a coating, binder, plasticizing agent, and/or lubricant in tablets used for food.

(2) As an adjuvant to improve flavor and as a bodying agent in nonnutritive sweeteners identified in § 121.101(d)(4).

(3) As an adjuvant in dispersing vitamin and/or mineral preparations.

(4) As a coating on sodium nitrite to inhibit hygroscopic properties.

(d) *Limitations.* (1) It is used in an amount not greater than that required to produce the intended physical or technical effect.

(2) A tolerance of zero is established for residues of polyethylene glycol in milk.

§ 121.2001 [Amended]

7. By deleting from paragraph (f) of § 121.2001 *Substances employed in the manufacture of food-packaging materials* the items "Polyethylene glycol 400," "Polyethylene glycol 1500," and "Polyethylene glycol 4000."

§ 121.2507 [Amended]

8. By deleting from paragraph (c) of § 121.2507 *Cellophane* the item "Polyethylene glycol (molecular weight greater than 300)."

9. By adding to Subpart F the following new section:

§ 121.2513 Polyethylene glycol (mean molecular weight 200-9,500).

Polyethylene glycol identified in this section may be safely used as a component of articles intended for use in contact with food, in accordance with the following prescribed conditions:

(a) The additive is an addition polymer of ethylene oxide and water with a mean molecular weight of 200 to 9,500.

(b) It contains no more than 0.2 percent total by weight of ethylene and diethylene glycols if its mean molecular weight is 350 or higher and no more than 0.5 percent total by weight of ethylene and diethylene glycols if its mean molecular weight is below 350, when tested by the analytical methods prescribed in § 121.1185(b).

(c) The provisions of paragraph (b) of this section are not applicable to polyethylene glycols used in food-packaging adhesives complying with § 121.2520.

§ 121.2514 [Amended]

10. By deleting from paragraph (b) (3) (xxv) of § 121.2514 *Resinous and polymeric coatings* the item "Polyethylene glycol (molecular weight greater than 300)."

§ 121.2526 [Amended]

11. By deleting from paragraph (a) (5) of § 121.2526 *Components of paper and paperboard in contact with aqueous and fatty foods* the item "Polyethylene glycol (molecular weight greater than 300)."

§ 121.2551 [Amended]

12. By deleting from paragraph (b) (2) of § 121.2551 *Corrosion inhibitors used for steel or tinplate* the item "Polyethylene glycol."

§ 121.2562 [Amended]

13. By deleting from paragraph (c) (4) (ix) of § 121.2562 *Rubber articles intended for repeated use* the item "Polyethylene glycol (molecular weight 6,000)."

§ 121.2571 [Amended]

14. By deleting from the list in paragraph (b) (2) of § 121.2571 *Components of paper and paperboard in contact with dry food* the item "Polyethylene glycol 200."

Any interested person may, within 30 days from the date of publication of this notice in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: August 12, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-10072; Filed, Aug. 20, 1968;
8:52 a.m.]

FEDERAL HOME LOAN BANK BOARD

[No. 22,032]

[12 CFR Part 569a]

FEDERAL SAVINGS AND LOAN INSURANCE CORP.

Receivers for Insured Institutions Other Than Federal Savings and Loan Associations

AUGUST 15, 1968.

Resolved, That the Federal Home Loan Bank Board considers it desirable to amend the Rules and Regulations for Insurance of Accounts to implement the

amendment of Section 406 of the National Housing Act (12 U.S.C. 1729) contained in the Bank Protection Act of 1968 (Public Law 90-389, 90th Congress, approved July 7, 1968), for the purpose of providing regulations governing the appointment in certain cases of the Federal Savings and Loan Insurance Corporation as Receiver for insured institutions other than Federal savings and loan associations, and regulations governing the operation and termination of receiverships conducted pursuant to such appointment and, for such purpose, it is hereby proposed to add a new Part 569a to said Rules and Regulations for Insurance of Accounts to read as follows:

PART 569a—RECEIVERS FOR INSURED INSTITUTIONS OTHER THAN FEDERAL SAVINGS AND LOAN ASSOCIATIONS

§ 569a.1 Grounds for appointment of receiver.

In the event the Board determines:

(a) That (1) a conservator, receiver or other legal custodian (whether or not the Corporation) has been or is hereafter appointed for an insured institution which is not a Federal savings and loan association other than by the Board (whether or not such institution is in default) and that the appointment of such conservator, receiver, or custodian, or any combination thereof, has been outstanding for a period of at least 15 consecutive days, or (2) an insured institution (other than a Federal savings and loan association) has been closed by or under the laws of any State, the Commonwealth of Puerto Rico, the territories and possessions of the United States, or any place subject to the jurisdiction of the United States;

(b) That one or more of the grounds specified in paragraph (6) (A) of section 5(d) of the Home Owners' Loan Act of 1933, existed with respect to such institution at the time a conservator, receiver, or other legal custodian was appointed, or at the time such institution was closed, or exists thereafter during the appointment of the conservator, receiver, or other legal custodian or while the institution is closed; and

(c) That one or more of the holders of savings accounts in such institution is unable to obtain a withdrawal of his account, in whole or in part;

the Board shall have exclusive power and jurisdiction to appoint the Corporation as sole Receiver for such institution. As used in this Part, the term "default" means an adjudication or other official determination of a court of competent jurisdiction or other public authority pursuant to which a conservator, receiver, or other legal custodian is appointed for an insured institution for the purpose of liquidation.

§ 569a.2 Appointment of Receiver.

If the Board makes the determinations specified in § 569a.1, the Board shall appoint the Federal Savings and Loan Insurance Corporation as sole Receiver for such insured institution for the purpose

of liquidation, and such appointment may be ex parte and without notice.

§ 569a.3 Notice of appointment.

In the event that the Board appoints a Receiver for an insured institution pursuant to § 569a.2, the Secretary to the Board shall mail a certified copy of such action of the Board to the address of the institution as it shall appear on the records of the Board, to any supervisory or regulatory authority to which such institution was theretofore subject, to any previous conservator, receiver, or other legal custodian of any such insured institution, and to any court or other authority to which such previous conservator, receiver, or custodian is subject. Notice of such appointment shall be filed forthwith for publication in the FEDERAL REGISTER.

§ 569a.4 Possession by Receiver.

The Corporation shall take possession promptly of the insured institution for which it has been appointed Receiver by service of a certified copy of the Board's appointment upon the insured institution or upon the conservator, receiver, or custodian of such institution. "Service" as used in the preceding sentence is accomplished by leaving a certified copy of the Board's appointment in the home office of the insured institution or by handing a certified copy of such appointment to the conservator, receiver, or custodian of such insured institution or to the officer or employee of the insured institution or of the conservator, receiver, or custodian who shall be in the home office of the institution and appears to be in charge of such office. The Receiver shall thereafter promptly notify in writing by certified mail the court or other public authority having jurisdiction over such conservator, receiver, or custodian of its possession of the insured institution and shall promptly notify in writing by certified mail any supervisory or regulatory authority to which the insured institution was theretofore subject of such possession. Immediately upon taking possession of any insured institution, the Corporation as Receiver shall forthwith take possession of the books, records, and assets of every description of such institution and of all offices of such institution. The Corporation as Receiver, by operation of law and without any conveyance or other instrument, act or deed, shall succeed to all the rights, titles, powers, and privileges of the insured institution and shall succeed to the rights, powers, and privileges of its members, holders of savings accounts and nonwithdrawable accounts, its officers and directors, or any of them. Such members, holders of savings accounts and nonwithdrawable accounts, officers, or directors, or any of them, shall not thereafter have or exercise any such rights, powers, or privileges or act in connection with any asset or property of any nature of the institution in receivership.

§ 569a.5 Procedure on taking possession.

Upon taking possession as provided in the first sentence of § 569a.4, the Receiver shall forthwith:

(a) Post a notice in substantially the following form on the door of the home and other offices of such insured institution:

The _____ is in the hands of the
(Institution)
Federal Savings and Loan Insurance Corporation as Receiver under appointment by the Federal Home Loan Bank Board pursuant to law.

FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION AS RECEIVER.

(Date)

(b) File with the Secretary to the Board a statement that it has taken possession of such institution and of the time of such taking of possession; and such statement shall be conclusive evidence of such taking of possession and of the time of such taking of possession; and

(c) Notify all banks, trust companies, and all other individuals, partnerships, corporations and associations, known to the Receiver to be holding or in possession of any assets of such insured institution by certified mail or telegraph that the Federal Savings and Loan Insurance Corporation as Receiver has succeeded to all the rights, titles, powers, and privileges of such institution.

§ 569a.6 Powers and duties as Receiver.

The Receiver shall promptly have an inventory and an audit made, either by an independent Certified Public Accountant or as otherwise directed by the Board, of the assets of such institution as of the date of such taking possession, showing the value as carried on the books of the institution, and the security therefor, if any, in whatever form the same shall exist, with a brief description of each such asset and such security. Such assets may be listed in such groups or classes as shall afford full information as to their character and book value, and a record shall be included of the creditor and other liabilities of the institution. One copy of such inventory shall be filed promptly with the Secretary to the Board, and one copy shall be retained in the principal office for liquidation of the institution, so long as such office is maintained. Subject to such limitations, as are contained in this part—

(a) General. The Receiver shall collect all obligations and money due such insured institution, and may:

(1) To an extent consistent with its appointment, do all things desirable or expedient at its discretion to carry on the business of such institution and to preserve and conserve the assets and property of every nature of such institution.

(2) Exercise all rights and powers of such institution, including without any limitation on the generality of the foregoing, any rights and powers under any mortgage, deed of trust, chose in action,

option, collateral note, contract, judgment or decree, share or certificate of share of stock, or instrument of any nature;

(3) Institute, prosecute, maintain, defend, intervene and otherwise participate in any and all actions, suits, or other legal proceedings by and against the Receiver of such institution or in which the Receiver, such institution, or its creditors or members, or any of them, shall have an interest, and in every way to represent such institution, its members and creditors;

(4) Employ on a salary or fee basis such personnel as in the judgment of the Receiver is necessary or desirable to carry out its responsibilities and functions, including appraisers and Certified Public Accountants, and pay the costs out of the assets of the receivership;

(5) Employ or retain any attorney or attorneys designated by, or acceptable to, the General Counsel of the Federal Home Loan Bank Board in connection with litigation or otherwise to give legal advice and assistance, for the receivership generally or in particular instances, and pay compensation and retainers of such attorney or attorneys, together with all expenses, including, but not limited to, the costs and expenses of any litigation, as approved by said General Counsel, out of the assets of such receivership;

(6) Execute, acknowledge, and deliver any and all deeds, contracts, leases, assignments, bills of sale, releases, extensions, satisfactions, and other instruments necessary or proper for any purposes, including, without any limitation on the generality of the foregoing, the effectuation, termination, or modification of any sale, lease or transfer of real, personal or mixed property, or that shall be necessary or proper to liquidate or carry on the business of such institution as authorized in subparagraph (1) of this paragraph. Any deed or other instrument executed pursuant to the authority hereby given shall be as valid and effectual for all purposes as if the same had been executed as the act and deed of the institution;

(7) Do such things, and have such rights, powers, privileges, immunities, and duties, whether or not otherwise granted in the rules and regulations of this chapter, as shall be authorized, directed, conferred, or imposed from time to time by the Board.

(b) *Expenditure of funds of the receivership.* The Receiver shall have power to:

(1) Pay all costs and expenses of the receivership as determined by it;

(2) Pay off and discharge taxes and liens;

(3) Pay out and expend such sums as it shall deem necessary or advisable for or in connection with the preservation, maintenance, conservation, protection, remodeling, repair, rehabilitation, or improvement of any asset or property of any nature of such institution or the Receiver;

(4) Pay out and expend such sums as it shall deem necessary or advisable for

or in connection with the preservation, maintenance, conservation, or protection of, or pay off and discharge any taxes, assessments, liens, claims, or charges of any nature against, any asset or property of any nature on which the institution or the Receiver has a lien by way of mortgage, deed of trust, pledge, or otherwise, or in which the institution or Receiver has an interest of value of any nature;

(5) Settle, compromise, or obtain the release of, for cash or other consideration, claims and demands against such institution or the Receiver.

(c) *Assets, claims and contracts.* The Receiver shall have power to:

(1) Sell for cash or on terms, exchange, or otherwise dispose of, in whole or in part, any or all of the assets and property of the institution, real, personal, and mixed, tangible and intangible, of any nature, including any mortgage, deed of trust, chose in action, bond, note, contract, judgment, or decree, share or certificate of share of stock or debt, owing to such institution or the Receiver;

(2) Surrender, abandon, and release any choses in action, or other assets or property of any nature, whether the subject of pending litigation or not, and settle, compromise, modify, or release, for cash or other consideration, claims and demands in favor of the institution or the Receiver.

(3) Reject or repudiate any lease or contract which it considers burdensome. Prior to the final acceptance of any offer relating to the disposition of assets or property of any kind having an appraised value in excess of \$25,000, but a book value of less than \$100,000 or where the transaction involves consideration of more than \$25,000, the Receiver shall publish a notice of such proposed transaction in a newspaper printed in the English language and of general circulation in the city or county in which the home office of the institution is located, inviting interested persons to submit in writing any comments or additional offer no later than 15 days from the date of publication, or such longer period as the Receiver may deem desirable. If no substantive objection from an interested person or additional offer is received, the proposed transaction may be consummated by the Receiver. If a substantive objection or additional offer is received, such objection or offer shall be considered by the Receiver and a determination shall be made by the Receiver as to the course of action most favorable to the receivership. A written record of each such determination shall be transmitted to the Board. At the discretion of the Receiver any such objection or additional offer may be referred to the Board for decision. With respect to property of any kind having a book value in excess of \$100,000, the Receiver shall submit a recommendation to the Board for approval of the terms of the proposed listing for sale. When an offer is received with respect to such property on terms at least as favorable as those approved by the Board, the Receiver shall publish a notice of such proposed transaction as provided above. If no substantive objection from an in-

terested person or additional offer is received, the proposed transaction may be consummated by the Receiver. If a substantive objection or additional offer is received, such objection or offer shall be referred to the Board for decision.

(d) *Investment of funds.* The Receiver shall have the power to deposit the monies and funds of the receivership in any bank or banks insured by the Federal Deposit Insurance Corporation or in any Federal Home Loan Bank, and may invest such monies or funds in certificates of deposit in any bank or banks insured by the Federal Deposit Insurance Corporation or in accounts, other than non-withdrawable accounts, in an insured institution or institutions. The Receiver shall have power to invest any funds not currently needed for transacting the business of the receivership or for payment of liquidating dividends in Government obligations with a maturity of not more than 2 years. The Receiver shall have no power to make loans except loans to facilitate the sale of any real estate owned and except loans which it deems necessary to protect security properties.

(e) *Borrowing.* With the approval of the Board and on terms and conditions approved by the Board, the Receiver may borrow money in any amount and from any source and in any manner, and execute, acknowledge and deliver notes, certificates, and other evidence of indebtedness therefor and secure the repayment thereof by the mortgage, pledge, assignment in trust or hypothecation of any or all of the property, whether real, personal, or mixed, tangible or intangible, of any nature of such institution or the Receiver, and such borrowing may be for any purpose, including, without any limitation on the generality of the foregoing, facilitating liquidation, carrying on the business of such institution, protecting or preserving the assets in its possession, declaring and paying dividends to members and creditors, and providing for the expense of administration and liquidation.

§ 569a.7 Priority of claims.

Claims against the receivership shall have the following order of priority:

(a) All costs, expenses, and debts of the receivership incurred on or after the date of the appointment of the Receiver;

(b) All claims of creditors, including contractual claims for interest to the date of payment, to the extent that under the laws of the State in which the home office of the institution in receivership is located such creditor claims are secured by, or constitute a lien on, assets or property of any kind of the institution in receivership;

(c) All other claims of creditors, including the unsecured portion of any creditor obligation, valid as such under the laws of the State in which the home office of the institution in receivership is located, including contractual claims for interest to the date of default;

(d) Claims of holders of savings accounts, unless under the laws of the State in which the principal office of the institution in receivership is located

such claims are treated as creditor obligations and covered by paragraph (c) of this section;

(e) Interest on claims which qualify under paragraphs (c) and (d) of this section on amounts outstanding from the date of default to the date at which a final distribution is made under paragraphs (c) and (d) of this section, such interest to be at the legal rate of interest in the State in which the home office of the institution was located or, if there is no legal rate of interest in such State, at the rate of 5 percent per annum;

(f) Claims of holders of creditor claims which have been subordinated to general creditor claims and to claims of savings account holders;

(g) Claims of holders of non-withdrawable accounts.

All claims of any class above described which have priority over another class shall be paid in full, or provision made for such payment, before any claims of lesser priority are paid. If there are insufficient funds to pay any class of claims in full, distribution on such class shall be pro rata. No distribution shall be made under paragraphs (c), (d), (e), (f), and (g) of this section except upon prior approval of the Board.

§ 569a.8 Creditor claims.

(a) The Receiver shall promptly publish, in a newspaper printed in the English language and of general circulation in the city or county in which the home office of such institution is located, a notice to all creditors of such institution to present their claims with proof thereof to such Receiver on forms prescribed by the Receiver on or before a date specified in such notice. The date specified in such notice shall be at least 90 days after the date of the first publication of such notice (Sundays and holidays included). Such notice shall be similarly published on dates approximately 1 month and 2 months after the date of such first publication. The Receiver shall mail a similar notice to any creditor, shown to be such on the books of the institution, at the last address of such creditor as the same shall appear on such books.

(b) Any claim filed on or before the date fixed pursuant to paragraph (a) of this section and proved to the satisfaction of the Receiver shall be allowed by the Receiver. The Receiver may disallow in whole or in part or reject in whole or in part any creditor claim or claims of security, or priority not proved to its satisfaction, and notice of such disallowance together with the reason therefor shall be served by the Receiver upon the claimant by certified mail. The mailing of notice of such disallowance or rejection to the last known address of any claimant appearing on the books or the proof of claim shall be deemed sufficient for the purposes hereof.

(c) Upon the expiration of the time fixed for the presentation of creditor claims by the notice provided for in paragraph (a) of this section, the Receiver shall file with the Board a list of allowed claims indicating the character of each claim.

(d) The Receiver shall file with the Board from time to time a list of creditor claims filed after the date fixed pursuant to paragraph (a) of this section and a list of creditor claims disallowed by the Receiver pursuant to paragraph (b) of this section. Any such claim may be allowed by the Board in its discretion upon good cause shown.

§ 569a.9 Claims of savings account-holders.

The Receiver shall prepare a list of accounts of savings account-holders for use by the Corporation in settlement of claims for insurance under Part 564 of this subchapter. Upon such settlement, the Receiver shall furnish to each holder of a savings account a certificate, as to the amount of any such account which is not covered by insurance under said Part 564, that the accountholder holds a claim against the receivership which is to be discharged to the extent permitted under this Part. No such certificate shall be furnished by the Receiver unless the accountholder has first surrendered to the Receiver such evidence of the ownership of the account as he may have or, in case of loss of such evidence, the accountholder has agreed that the Receiver shall be entitled to the surrender of such evidence if it is thereafter recovered, but this requirement shall not be applicable in cases in which such evidence has been surrendered therefore to the Corporation in connection with payment of insurance of the account. In a case where a Receiver has reason to believe that the records of the institution in receivership may not disclose a complete record of all accounts of savings account-holders, or in a case where all holders of savings accounts have not presented claims within 1 year from the date of appointment of the Receiver, the Receiver shall publish, in a newspaper printed in the English language and of general circulation in the city or county in which the home office of such institution was located, a

notice to all savings account-holders to present their claims of ownership thereof on forms prescribed by the Receiver to such Receiver on or before a date specified in such notice, which date shall be 3 years after the date of default. Such notice shall be similarly published on dates approximately 1 month and 2 months after the date of such first publication. Such notice shall be similarly published on a date approximately 1 month prior to the date specified in such notice for presentation of claims of ownership. Claims of ownership not filed within the period stated in the notices shall be disallowed.

§ 569a.10 Audits.

Each institution for which a Receiver has been appointed shall be audited at least annually by an independent Certified Public Accountant or as otherwise directed by the Board, and one copy of such audit filed with the Secretary to the Board and one copy retained in the principal office for liquidation of the institution so long as such office is maintained.

§ 569a.11 Accounting practices; reports.

The Receiver may, from time to time, prescribe the accounting practices to be followed. The Receiver shall make an annual report of its affairs as of December 31 of each year to the Board, on forms prescribed by the Board or the Receiver, and such other reports as may be from time to time required by the Board and shall accompany each recommendation for the declaration and payment of a liquidating dividend with a report showing the available assets. One copy of the reports required in this section shall be filed with the Secretary to the Board, one copy shall be retained by the Corporation, and one copy shall be retained in the principal office for the liquidation of the institution, so long as such is maintained.

§ 569a.12 Final discharge and release of Receiver.

(a) *Final report.* At such time as the Receiver shall recommend a final distribution of the assets or at such time as the Receiver shall be otherwise relieved of its duties, the Receiver shall file with the Board a detailed report in form satisfactory to the Board.

(b) *Final discharge.* Upon the final liquidation of the receivership, or the completion of the duties of the Receiver or at such time as the Receiver shall be otherwise relieved of its duties, the Receiver shall have an audit made of the institution in receivership, either by an independent Certified Public Accountant or as otherwise directed by the Board, and such audit shall be filed with the Secretary to the Board. The accounts of the Receiver shall thereupon be approved or disapproved by the Board and, if approved, the Receiver shall thereupon be given a complete and final discharge and release.

(Secs. 402, 406, 48 Stat. 1256, 1259, as amended; 12 U.S.C. 1725, 1729. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-48 Comp., p. 1071)

Resolved further that interested persons are invited to submit written data, views, and arguments to the Office of the Secretary, Federal Home Loan Bank Board, 101 Indiana Avenue NW., Washington, D.C. 20552, by September 5, 1968, as to whether this proposal should be adopted, rejected, or modified. Written material submitted will be available for public inspection at the above address unless confidential treatment is requested or the material would not be made available to the public or otherwise disclosed under § 505.6 of the General Regulations of the Federal Home Loan Bank Board (12 CFR 505.6).

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER,
Secretary.

[F.R. Doc. 68-10079; Filed, Aug. 20, 1968; 8:52 a.m.]

Notices

FEDERAL POWER COMMISSION

[Docket Nos. G-3491, etc.]

PHILLIPS PETROLEUM CO. ET AL.

Findings and Order After Statutory Hearing

AUGUST 13, 1968.

Findings and order after statutory hearing issuing certificates of public convenience and necessity, severing proceeding, canceling docket number, amending certificates, permitting and approving abandonment of service, terminating certificates, making successor co-respondent, redesignating proceeding, requiring filing of agreement and undertaking, and accepting related rate schedules and supplements for filing.

Each of the Applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce, for permission and approval to abandon service, or a petition to amend an existing certificate authorization, all as more fully described in the respective applications and petitions (and any supplements or amendments thereto) which are on file with the Commission.

The Applicants herein have filed related FPC gas rate schedules and propose to initiate or abandon, add or delete natural gas service in interstate commerce as indicated by the tabulation herein. All sales certificated herein are at rates either equal to or below the ceiling prices established by the Commission's Statement of General Policy No. 61-1, as amended, or involve sales for which permanent certificates have been previously issued; except that the sale from the Permian Basin area of New Mexico is authorized to be made at the applicable area base rate and under the conditions prescribed in Opinion Nos. 468 and 468-A.

Payne Producing Co., Applicant in Docket No. G-12969, proposes to continue the sale of natural gas heretofore authorized in said docket to be made pursuant to W. M. Bevely et al., FPC gas rate schedule No. 2. Said rate schedule will be redesignated as that of Applicant. The presently effective rate under said rate schedule is in effect subject to refund in Docket No. RI68-94. Therefore, Applicant will be made a co-respondent in said proceeding; the proceeding will be redesignated accordingly; and Applicant will be required to file an agreement and undertaking to assure the refund of any amounts collected by it in excess of the amount determined to be just and reasonable in said proceeding.

The Commission's staff has reviewed each application and recommends each

action ordered as consistent with all substantive Commission policies and required by the public convenience and necessity.

After due notice, no petitions to intervene, notices of intervention, or protests to the granting of any of the respective applications or petitions in this order have been received.

At a hearing held on August 7, 1968, the Commission on its own motion received and made a part of the record in these proceedings all evidence, including the applications, amendments, and exhibits thereto, submitted in support of the respective authorizations sought herein, and upon consideration of the record,

The Commission finds:

(1) Each Applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will, therefore, be a "natural-gas company" within the meaning of said Act upon the commencement of the service under the respective authorizations granted hereinafter.

(2) The sales of natural gas hereinbefore described, as more fully described in the respective applications, amendments and/or supplements herein, will be made in interstate commerce, subject to the jurisdiction of the Commission and such sales by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) The respective Applicants are able and willing properly to do the acts and to perform the services proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules and regulations of the Commission thereunder.

(4) The sales of natural gas by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefore should be issued as hereinafter ordered and conditioned.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the certificate authorizations heretofore issued by the Commission in the following dockets should be amended as hereinafter ordered and conditioned:

G-3491	CI61-1315	CI65-1263
G-3821	CI62-673	CI66-866
G-6170	CI62-1087	CI67-1542
G-8817 ¹	CI62-1251	CI68-232
G-10990	CI62-1372	CI68-589
G-12969	CI63-489	CI68-1077
G-16499	CI64-342	CI68-1148
CI60-252	CI65-15	CI68-1164

¹ Temporary certificate.

(6) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates heretofore issued in the following dockets should be amended to reflect the deletion of acreage where new certificates are issued herein or existing certificates are amended herein to authorize service from the subject acreage:

Amend to delete acreage	New certificate and/or amendment to add acreage
G-5716	CI68-1040
G-10686	CI68-589
G-14152	CI63-473
CI61-1251	CI68-1164
CI62-1184	CI68-1368

(7) The sales of natural gas proposed to be abandoned by the respective Applicants, as hereinbefore described, all as more fully described in the respective applications and in the tabulation herein, are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act, and such abandonments should be permitted and approved as hereinafter ordered.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Docket No. CI68-1385 should be canceled and that the application filed therein should be processed as an amendment to the application in Docket No. G-16840.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Docket No. G-16840 should be severed from the proceedings in Docket Nos. G-13221 et al.; that the abandonment should be permitted and approved in Docket No. G-16840; and that the temporary certificate in Docket No. G-16840 should be terminated.

(10) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates of public convenience and necessity heretofore issued to the respective Applicants relating to the abandonments hereinafter permitted and approved should be terminated.

(11) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Payne Producing Co. should be made a co-respondent in the proceeding pending in Docket No. RI68-94, that said proceeding should be redesignated accordingly, and that Payne Producing Co. should be required to file an agreement and undertaking in said proceeding.

(12) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the respective related rate schedules and supplements as designated in the tabulation herein should be accepted for filing as herein-after ordered.

The Commission orders:

(A) Certificates of public convenience and necessity are issued upon the terms and conditions of this order, authorizing the sales by the respective Applicants herein of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary for such sales, all as hereinbefore described and as more fully described in the respective applications, amendments, supplements, and exhibits in this proceeding.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder, and is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceedings now pending or hereafter instituted by or against the respective Applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the respective contracts particularly as to the cessation of service upon termination of said contracts, as provided by section 7(b) of the Natural Gas Act. Nor shall the grant of the certificates aforesaid be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The grant of the certificates issued herein on all applications filed after July 1, 1967, is upon the condition that no increase in rate which would exceed the ceiling prescribed for the given area by paragraph (d) (3) of the Commission's Statement of General Policy No. 61-1, as amended, shall be filed prior to the applicable date as indicated by footnote 12 in the attached tabulation.

(E) The certificates issued herein and the amended certificates are subject to the following conditions:

(a) The initial rate for the sale authorized in Docket No. G-3491 shall be the applicable base area rate prescribed in Opinion No. 468, as modified by Opinion No. 468-A, as adjusted for quality, or the contract rate, whichever is lower.

(b) If the quality of the gas delivered by Applicant in Docket No. G-3491 deviates at any time from the quality standards set forth in Opinion No. 468, as modified by Opinion No. 468-A, so as to require a downward adjustment of the existing rate, a notice of change in rate shall be filed pursuant to the provisions of section 4 of the Natural Gas Act; *Provided, however*, That adjustments reflecting changes in B.t.u. content of the gas shall be computed by the applicable formula and charged without the filing of a notice of change in rate.

(c) Within 90 days from the date of initial delivery Applicant in Docket No. G-3491 shall file a rate schedule quality statement in the form prescribed in Opinion No. 468-A.

(d) The initial rate for sales authorized in Docket Nos. CI62-1251 and CI68-1381 shall be 15 cents per Mcf at 14.65 p.s.i.a., including tax reimbursement, subject to B.t.u. adjustment; however,

(e) In the event that the Commission amends its Policy Statement No. 61-1, by adjusting the boundary between the Panhandle area and the Oklahoma "Other" area so as to increase the initial well-head price for new gas in the area involved herein, Applicant in Docket No. CI68-1381, thereupon may substitute the new rate reflecting the amount of such increase, and thereafter collect such new rate prospectively in lieu of the initial rate herein required.

(f) The initial rate for the sale authorized in Docket No. CI63-489 shall be 17 cents per Mcf at 14.65 p.s.i.a., subject to upward and downward B.t.u. adjustment.

(g) The initial rate for the sale authorized in Docket No. CI68-1049 shall be 11 cents per Mcf at 14.65 p.s.i.a.

(F) Certificates are issued herein in Docket Nos. CI68-1312, CI68-1365, and CI68-1413 authorizing the respective Applicants to continue the sales of natural gas which were being rendered on June 7, 1954.

(G) The certificates heretofore issued in Docket Nos. G-3491, CI60-252, CI62-673, CI62-1251, CI63-489, CI64-342, CI65-1263, CI67-1542, CI68-589, CI68-1077, CI68-1148, and CI68-1164 are amended by adding thereto or deleting therefrom authorization to sell natural gas to the same purchasers and in the same areas as covered by the original authorizations pursuant to the rate schedule supplements as indicated in the tabulation herein.

(H) The certificate heretofore issued in Docket No. G-6170 is amended by deleting therefrom authorization to sell

natural gas pursuant to the rate schedule supplement as indicated in the tabulation herein, and such authorization shall not be construed to relieve Applicant of any refund obligation which may be ordered in the related rate suspension proceeding pending in Docket No. G-14106, insofar as it pertains to the acreage being released.

(I) The temporary certificate heretofore issued in Docket No. G-8817 is amended by deleting therefrom authorization to sell natural gas pursuant to the rate schedule supplement as indicated in the tabulation herein, and the temporary certificate issued May 4, 1965, in said docket is terminated with respect to Supplement Nos. 22, 23, and 24 to FPC gas rate schedule No. 4. Applicant shall not be relieved of any refund obligation which may be ordered in the proceeding pending in Docket No. G-8817.

(J) The certificate heretofore issued in Docket No. G-16499 is amended to include the interest of the coowner (Wee Oil Co.) and said certificate and rate schedule are redesignated to include the designation "et al." as indicated in the tabulation herein; further, the temporary certificate issued November 29, 1961, in Docket No. G-16499, is amended to reflect the transfer of interest to Wee Oil Co.

(K) Sales from all of the assigned acreage, except that covered by Supplement No. 4 to Petroleum Associates, Inc. et al., FPC gas rate schedule No. 1, shall be made at the rate of 15.70925 cents per Mcf at 14.65 p.s.i.a., subject to refund in Docket No. G-20526.

(L) The certificates heretofore issued in the following dockets are amended to reflect the deletion of acreage where new certificates are issued herein or existing certificates are amended herein to authorize service from the subject acreage:

Amend to delete acreage	New certificate and/or amendment to add acreage
G-5716-----	CI68-1049
G-10686-----	CI68-589
G-14152-----	CI63-473
CI61-1251-----	CI68-1164
CI62-1184-----	CI68-1368

(M) The certificates heretofore issued in Docket Nos. G-3821, G-12969, CI62-1087, CI62-1372, CI65-15, CI66-866, and CI68-232 are amended by substituting the respective successors in interest as certificate holders as indicated in the tabulation herein.

(N) The certificates heretofore issued in Docket Nos. G-10990 and CI61-1315 are amended to reflect the changes in operators as indicated in the tabulation herein.

(O) Permission for and approval of the abandonment of service by the respective Applicants, as hereinbefore described, all as more fully described in the respective applications and in the tabulation herein are granted.

(P) Permission for and approval of the abandonment in Docket No. CI68-1379 shall not be construed to relieve Applicant of any refund obligation which may be ordered in the related rate suspension proceeding pending in Docket No. RI64-721.

(Q) Docket No. CI68-1385 is canceled.

(R) Docket No. G-16840 is severed from the proceedings in Docket Nos. G-13221 et al.; the abandonment is granted in Docket No. G-16840; and the temporary certificate in Docket No. G-16840 is terminated. Such authorization shall not be construed to relieve Applicant of any refund obligation which may be ordered in the proceedings pending in Docket Nos. G-13221 et al.

(S) The certificate heretofore issued in Docket No. G-3913 is terminated only insofar as it pertains to Ashland Oil & Refining Company's FPC Gas Rate Schedule Nos. 97 and 102.

(T) The certificates heretofore issued in Docket Nos. G-3743, G-6730, and CI62-722 are terminated.

(U) Payne Producing Co. is made a co-respondent in the proceeding pending in Docket No. RI68-94, and the proceeding is redesignated accordingly.²

(V) Within 30 days from the issuance of this order Payne Producing Co. shall execute, in the form set out below, and shall file with the Secretary of the Commission an acceptable agreement and undertaking in Docket No. RI68-94 to assure the refund of any amounts collected by it, together with interest at the rate of 7 percent per annum, in excess of the amount determined to be just and reasonable in said proceeding. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, such agreement and undertaking shall be deemed to have been accepted for filing.

(W) Payne Producing Co. shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, and the agreement and undertaking filed by it in Docket No. RI68-94 shall remain in full force and effect until discharged by the Commission.

(X) The respective related rate schedules and supplements as indicated in the tabulation herein are accepted for filing; further, the rate schedules relating to the successions herein are redesignated and accepted, subject to the applicable Commission regulations under the Natural Gas Act to be effective on the dates as indicated in the tabulation herein.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

² W. M. Bevy et al., and Payne Producing Co.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted		
			Description and date of document	No.	Supp.
G-3491 C 5-15-68 ²	Phillips Petroleum Co.	El Paso Natural Gas Co., Jal Field, Lea County, N. Mex.	Amendatory agreement, 4-1-68. ²	258	
G-3821 E 6-13-68	R. Morgan Properties (successor to Estate of R. Morgan).	South-Tex Corp., Farent- hold Field, Nueces and Jim Wells Counties, Tex.	Estate of R. Morgan, FPC GRS No. 1. Supplement Nos. 1-7. Notice of Succession (undated). ⁴	1	1
G-6170 D 6-5-68	The Superior Oil Co. (Operator) et al. (partial abandon- ment).	Southern Natural Gas Co., Gwinville Field, Jefferson Davis and Simpson Counties, Miss.	Notice of partial can- cellation (undated). ^{4,5}	11	
G-8817 D 5-29-68	The California Co., a division of Chevron Oil Co. (Operator) et al. (partial abandon- ment).	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Little Temple Field, La- fourche Parish, La.	Notice of cancellation 5-23-68. ^{4,5}	74	
G-10900 E 6-6-68	Franklin Jones, Jr., agent (Operator) et al. (successor to C. A. Brian (Oper- ator) et al.).	United Gas Pipe Line Co., Bethany Field, Panola County, Tex.	C. A. Brian (Operator) et al., FPC GRS No. 2. Notice of succession, 6-3-68. ⁸	1	
G-12969 E 5-23-68	Payne Producing Co. (successor to W. M. Bevy et al.).	United Gas Pipe Line Co., North La Rosa Field, Refugio County, Tex.	Effective date: 1-1-64. W. M. Bevy et al., FPC GRS No. 2. Supplement Nos. 1-2. Notice of succession, 5-17-68.	8	14
G-16499 6-6-68 ¹⁰	Petroleum Associates, Inc., et al.	El Paso Natural Gas Co., North Jameson (Strawn) Field, Nolan County, Tex.	Assignment 4-30-68. ⁸ Effective date: 5-1-68. Assignment 1-11-68. ¹¹ Effective date: 1-1-68.	8	1
CI60-252 C 6-6-68 ¹²	Mobil Oil Corp.	Panhandle Eastern Pipe Line Co., Guymon- Hugoton (Deep) Field, Texas County, Okla.	Amendatory agreement, 12-19-60. ¹³	301	
CI61-1315 E 5-24-68	Witt Oil Production, Inc. (Operator) et al. (successor to Waymon L. Davis (Operator) et al.).	United Gas Pipe Line Co., Waskom Field, Panola County, Tex.	Waymon L. Davis (Operator) et al., FPC GRS No. 1. Supplement Nos. 1-2. Notice of succession (undated). ¹⁴	1	14
CI62-673 C 4-29-68 ¹⁵ D 4-29-68	Skylark Gas Co.	Equitable Gas Co., Hackers Creek and Warren Districts, Lewis and Upshur Counties, W. Va.	Letter agreement 11-29-67. ¹⁵	1	
CI62-1087 E 6-10-68	Petroleum Promotions, Inc. (successor to Bear Run Oil & Gas Co.).	Equitable Gas Co., Salt Lick District, Braxton County, W. Va.	Bear Run Oil & Gas Co., FPC GRS No. 2. Supplement Nos. 1-3. Notice of succession, 6-6-68.	17	14
CI62-1251 C 6-11-68 ¹⁶	Joseph E. Seagram & Sons, Inc., d.b.a. Texas Pacific Oil Co.	Arkansas Louisiana Gas Co., Wilburton Field, Pittsburg County, Okla.	Assignment 3-11-68. ¹⁶ Effective date: 3-11-68. Amendment 5-14-68. ¹⁷	17	10
CI62-1372 E 5-31-68	Carl R. Morris (suc- cessor to Manor Oil Co.).	Equitable Gas Co., Center District, Gilmer County, W. Va.	Manor Oil Co., FPC GRS No. 1. Notice of succession, 5-11-68.	2	
CI63-473 (G-14152) F 10-12-62	May Petroleum, Inc. (successor to Union Oil Co. of California).	Natural Gas Pipeline Co. of America, T. O. Wilson Gas Unit, Beaver County, Okla.	Assignment 9-1-64. ¹⁸ Effective date: 9-1-64. Ratified 5-8-62. ¹⁹ Contract 11-14-57. ²⁰ Assignment 1-20-62. ²¹	2	
CI63-489 C 6-12-68 ²²	Ashland Oil & Refining Co.	Michigan Wisconsin Pipe Line Co., Northwest Cedarvale Field, Wood- ward County, Okla.	Amendatory agreement 5-28-68. ²²	81	
CI64-342 C 6-7-68 ²³	Sohio Petroleum Co. (Operator) et al.	Mountain Fuel Supply Co., Nitche Gulch Area, Sweetwater County, Wyo.	Amendatory agreement 1-18-68. ²³	89	
CI65-15 E 5-16-68	Damson Petroleum Corp. (Operator) agent for Arthur G. Edelman et al. (suc- cessor to Coloma Oil & Gas Corp. (Operator), agent for F. G. Kingsley et al.).	Texas Eastern Trans- mission Corp., Karon Field, Live Oak County, Tex.	Coloma Oil & Gas Corp. (Operator) agent for F. G. Kingsley, et al., FPC GRS No. 2. Supplement No. 1. Notice of succession, 5-13-68. Assignment 12-6-65. ²⁴ Effective date: 12-1-65.	1	1

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted		FPC rate schedule to be accepted
			Description and date of document	No.	Supp.
CI65-1263 D 6-17-68	The Superior Oil Co.	El Paso Natural Gas Co., Custer Mountain Unit, Lea County, N. Mex.	Amendment 6-10-68 ^{4 15}	116	3
CI66-866 E 6-11-68	Sterrett B. Proctor (Operator) et al., successor to Kewanee Oil Co. (Operator) et al.,	Kewanee Oil Co. (Operator), et al., FPC GRS No. 57, Notice of succession, 4-17-68.	Assignment 12-29-67 ²³ Notice of partial cancellation, 6-14-68 ^{4 27}	1	1
CI67-1542 D 6-17-68	McWilliams-Moffett Corp. (Operator) et al. (partial abandonment).	Florida Gas Transmission Co., West Addis Field, Iberville Parish, La.	Thomas C. Buchanan, FPC GRS No. 1, Notice of succession, 6-6-68.	1	1
CI68-232 E 6-10-68	Hicks Durham, agent (Operator) et al. (successor to Thomas C. Buchanan).	Trunkline Gas Co., West Olla Field, La Salle Parish, La.	Assignment 3-23-68 ²³ Assignment 4-19-68 ²³ Effective date: 4-18-68 Farmout agreement 5-20-68 ²³	1	1
F CI68-850 (G-10686) C 6-6-68	Jerome P. McHugh et al.	El Paso Natural Gas Co., Basin Dakota Field, Rio Arriba County, N. Mex.	Contract 11-1-62 ³⁰ Amendment 11-27-67 Assignment 1-22-68 ³¹	2	2
CI68-1049 (G-5716) F 2-27-68	Alkman Bros. Corp. (Operator) et al. (successor to Northern Natural Gas Producing Co.).	Northern Natural Gas Co., Larrabee Field, Stevens County, Kans.	Amendment 5-3-68	13	8
CI68-1077 C 6-12-68 ¹²	William Herbert Hunt Trust Estate (Operator) et al.	Arkansas Louisiana Gas Co., Colquitt Field, Claiborne Parish, La.	Agreement 5-1-68 ³²	2	1
CI68-1148 C 5-20-68 ¹²	Appalachian Exploration & Development, Inc.	United Fuel Gas Co., Union District, Kanawha County, W. Va.	Ratified 4-8-68 ³³ Assignment 1-23-68 ³⁴ Effective date: 1-1-68	4	4
F CI68-1164 (G-1251) C 5-13-68	James A. Wood, Trustee (Operator) et al.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., La Reforma Field, Starr County, Tex.	Assignment 1-23-68 ³⁴ Effective date: 5-30-68 Contract 3-3-68 Letter agreement 3-3-68	2	4
(CI61-1251) ³⁵	Wheelock Oil Co. et al.	do.	Contract 3-19-68 ³	71	
CI68-1312 A 6-15-68 ^{12 36}	R. L. McCully, agent for J. M. Carper, lease.	Harry C. Boggs Natural Gas Co., Geary District, Roane County, W. Va.	Contract 4-29-68 ³⁸ Contract 5-12-67 ³	1	1
CI68-1360 A 6-3-68 ^{12 37}	W. H. Mossor et al., d.b.a. Garrett Oil & Gas Co.	Consolidated Gas Supply Corp., Glenville District, Gilmer County, W. Va.	Contract 6-29-62 Letter 12-15-62	47	1
CI68-1362 A 5-29-68 ¹²	B. J. Brown.	Arkansas Louisiana Gas Co., Mansfield Field, Scott County, Ark.	Contract 4-29-68	2	
CI68-1365 A 6-3-68 ³⁸	E. C. Ware et al.	United Fuel Gas Co., acreage in Martin County, Ky.	Contract 3-26-68 ³	1	
CI68-1367 A 6-5-68 ¹²	Arapahoe Production Co. (Operator) et al.	Michigan Wisconsin Pipe Line Co., Laverne Field, Beaver County, Okla.	Contract 3-15-62 ³⁹ Agreement 3-6-63 Assignment 4-9-68 ⁴⁰ Effective date: 1-1-68 5-29-68 ⁴¹	449	1
CI68-1368 (G-102-1184) F 6-5-68	Humble Oil & Refining Co.	Arkansas Louisiana Gas Co., Arkoma Area, Le Flore County, Okla.	Contract 3-26-68 ³	449	2
CI68-1369 (G-6730) B 6-6-68	Moss Gas Co.	United Fuel Gas Co., Oriskany Field, Kanawha County, W. Va.		1	4
CI68-1372 A 6-7-68 ¹²	Rabbit Gas & Oil Co.	Equitable Gas Co., various districts, Upshur and Gilmer Counties, W. Va.		1	

See footnotes at end of table.

¹ Omitted.
² By letter filed May 31, 1968, Applicant agreed to accept permanent authorization conditioned as Opinion No. 468.
³ Effective date: Date of initial delivery (Applicant shall advise the Commission as to such date).
⁴ Effective date: Date of this order.
⁵ Source of gas depleted.
⁶ Rate of 20 cents effective subject to refund in Docket No. G-14106.
⁷ Temporary certificate conditioned to a floor rate of 20 cents.
⁸ Applicant succeeds C. A. Brian as operator of the Unit. No change of interest involved.
⁹ Assigns acreage from W. M. Bevil and W. M. Bevil, Jr. to Payne Producing Co.
¹⁰ Amendment to the certificate filed to include interest of coowner.
¹¹ Petroleum Associates, Inc., assigned interest in acreage to Wee Oil Co., but requests that it be permitted to render service for Wee Oil Co. under Petroleum's FPC GRS No. 1.
¹² Jan. 1, 1970, moratorium pursuant to the Commission's statement of general policy No. 61-1, as amended.
¹³ Covers gas produced from the interval between a depth of 3,000 feet from the surface and the base of the Mississippi System.

- ¹⁴ Applicant succeeds Waymon L. Davis as operator; no change of interest involved.
- ¹⁵ Adds acreage and also deletes two expired leases.
- ¹⁶ From Bear Run to Petroleum Promotions, Inc.
- ¹⁷ Applicant proposed a rate of 15.015 cents (including 0.015 cent tax reimbursement); by letter dated June 19, 1968, Applicant indicated its willingness to accept permanent authorization at 15 cents including tax reimbursement, subject to B.t.u. adjustment.
- ¹⁸ From Manor Oil Co. to Carl R. Morris.
- ¹⁹ Adopts Union's Nov. 14, 1957, contract to cover previously nondated acreage; also deletes redetermination clause.
- ²⁰ On file as Union Oil Co. of California FPC GRS No. 23 and certificated in Docket No. G-14152.
- ²¹ From Union Oil Co. of California to Applicant covering E $\frac{1}{4}$ and S $\frac{1}{4}$ SW $\frac{1}{4}$ of sec. 26, T. 2 N., R. 20 ECM.
- ²² Adds interest in the Butler No. 2 Gas Unit, section 27, 22 N. 18 W. Also amends contract to provide for full proportional downward B.t.u. adjustment from 1,000 B.t.u. per cubic foot.
- ²³ Contract price is 19.5 cents per Mcf plus tax reimbursement and B.t.u. adjustment; however, Applicant has expressed willingness to accept permanent authorization conditioned to a price of 17 cents per Mcf subject to upward and downward B.t.u. adjustment.
- ²⁴ Assigns interest to Damson Petroleum Corp. who in turn conveyed interest to Arthur G. Edelman et al.
- ²⁵ Deletes three expired leases. No gas was ever delivered from the acreage in question.
- ²⁶ Transfers acreage from Kewanee Oil Co. to Sterrett B. Procter.
- ²⁷ Deletes nonproductive acreage released to landowner.
- ²⁸ Assigns acreage from Thomas C. Buchanan Bankruptcy Trustee to "et al." parties.
- ²⁹ Transfers acreage from Northwest Production Corp. to McHugh. The acreage is covered under a contract dated June 15, 1956, also on file as Northwest's FPC GRS No. 1.
- ³⁰ Also on file as Northern Natural Gas Producing Co. (Operator) et al., FPC GRS No. 2.
- ³¹ Transfers acreage from Northern Natural Gas Producing Co. to Applicant, as to formation below base of Permian Chase Group, i.e., intermediate and deep formations.
- ³² Limited to production from the Newburg Formation under the dedicated acreage.
- ³³ Ratifies contract dated Apr. 24, 1953, between Mobil Oil Corp. and buyer; currently on file as Mobil Oil Corp. (Operator) et al., FPC GRS No. 83. Wood had previously filed this contract as his FPC GRS No. 4. (Dedicates acreage acquired from Wheelock Oil Co. to the performance of the Apr. 24, 1953 contract.)
- ³⁴ Assigns acreage from Wheelock Oil Co. to James A. Wood, trustee, to a depth of 7,502 feet. Acreage previously dedicated to a contract dated June 1, 1957; currently on file as Wheelock Oil Co. et al., FPC GRS No. 2.
- ³⁵ No certificate filing necessary, only the rate filing is being accepted for filing by this order.
- ³⁶ Sale being rendered on June 7, 1964.
- ³⁷ Sale being rendered without prior Commission authorization.
- ³⁸ Ratifies contract dated May 12, 1967, between Midwest Oil Corp. et al. and Arkansas Louisiana Gas Co.; on file as Midwest Oil Corp., FPC GRS No. 45.
- ³⁹ Also on file as Sinclair Oil & Gas Co. (Operator) et al., FPC GRS No. 251.
- ⁴⁰ Conveys acreage from Sinclair Oil & Gas Co. to Applicant.
- ⁴¹ Other sales covered under Docket No. G-3913; therefore, the certificate in said docket will be terminated only insofar as it pertains to Applicant's FPC GRS No. 97.
- ⁴² Rate of 15.6 cents effective subject to refund in Docket No. R164-721.
- ⁴³ Contract rate is 18.0 cents; however, Applicant has expressed willingness to accept a permanent certificate at 15 cents subject to B.t.u. adjustment.
- ⁴⁴ No permanent authorization granted in Docket No. G-16840; therefore, the abandonment will be permitted in Docket No. G-16840, the temporary certificate in said docket will be terminated and Docket No. C168-1385 will be cancelled.
- ⁴⁵ By order issued July 23, 1964, in Docket No. G-13221 et al. (Opinion No. 436) a 20-cent rate was found to be proper. Opinion No. 436 has been stayed pending judicial review.
- ⁴⁶ Adopts terms of contract dated Oct. 21, 1963 between Shell Oil Co. and purchaser.
- ⁴⁷ Provides for compression of gas from subject acreage by Diamond Shamrock Corp., the operator of the units involved. The agreement is between Shamrock and the purchaser.
- ⁴⁸ Other sales covered under Docket No. G-3913; therefore, the certificate in said docket will be terminated only insofar as it pertains to Applicant's FPC GRS No. 102.
- ⁴⁹ Changes the terms of royalty payments.
- ⁵⁰ From H. R. Wright to Carl E. Walters.

Suggested agreement and undertaking:

BEFORE THE FEDERAL POWER COMMISSION

(Name of Respondent -----)

Docket No. -----

AGREEMENT AND UNDERTAKING OF (NAME OF RESPONDENT) TO COMPLY WITH REFUNDING AND REPORTING PROVISIONS OF SECTION 154.102 OF THE COMMISSION'S REGULATIONS UNDER THE NATURAL GAS ACT

(Name of Respondent) hereby agrees and undertakes to comply with the refunding and reporting provisions of section 154.102 of the Commission's regulations under the Natural Gas Act insofar as they are applicable to the proceeding in Docket No. -----, and has caused this agreement and undertaking to be executed and sealed in its name by a duly authorized officer this ----- day of -----, 196--.

(Name of Respondent)

By -----

Attest:

[F.R. Doc. 68-9920; Filed, Aug. 20, 1968; 8:45 a.m.]

[Docket No. CP69-19]

MISSISSIPPI RIVER TRANSMISSION CORP.

Notice of Application

AUGUST 14, 1968.

Take notice that on August 5, 1968, Mississippi River Transmission Corp. (Applicant), 9900 Clayton Road, St. Louis, Mo. 63124, filed in Docket No. CP69-19 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and

necessity authorizing the construction and operation of certain facilities for the development and operation of the Vaughn Sand, Cotton Valley Formation, West Unionville Field, Lincoln Parish, La., as an underground natural gas storage reservoir, and in connection therewith, to the extent authorization therefor is required under the Natural Gas Act, authorizing the acquisition of interests in producing wells, leases and reserves within the storage project area presently used in the making of jurisdictional sales of natural gas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the storage project area is to include approximately 7,680 acres in which Applicant plans to acquire the necessary storage and other rights from land, leasehold, mineral, and royalty owners.

Specifically, Applicant proposes to construct and place in operation the following facilities:

1. Approximately 500 feet of 16-inch pipeline connecting the storage field compressor station and Applicant's West Line,
2. An 11,000 horsepower compressor station at the storage field,
3. A total of approximately 24 miles of 4-inch field gathering pipelines,
4. Fifteen (15) new wells to be drilled and completed as injection-withdrawal wells,
5. One (1) new well to be drilled and eight plugged wells to be reworked as observation wells,

6. Four (4) existing wells to be reworked as observation or injection-withdrawal wells, and

7. Measurement and dehydration facilities and other miscellaneous and appurtenant facilities.

Applicant states that cushion gas in addition to the native gas remaining in the reservoir is proposed to be injected in the approximate total amount of 37 million Mcf (at 15.025 p.s.i.a.).

The application states that development and operation of the proposed storage field will enable Applicant to continue to meet present and augmented winter gas supply requirements through better year round utilization of presently contracted gas supply, primarily from Applicant's pipeline suppliers. Applicant further states that it will be able to inject gas into storage in the warmer months when supply exceeds demand, for withdrawal in the winter season when demand exceeds supply.

Total estimated cost of the proposed acquisition, development, and construction, including cushion gas, is \$20,626,000, which cost is to be financed initially through interim borrowings pending the making of arrangements for permanent financing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or .10) and the regulations under the Natural Gas Act (157.10) on or before September 9, 1968.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-10019; Filed, Aug. 20, 1968; 8:48 a.m.]

[Docket No. CP69-21]

NATURAL GAS PIPELINE CO. OF AMERICA

Notice of Application

AUGUST 14, 1968.

Take notice that on August 6, 1968, Natural Gas Pipeline Company of America (Applicant), 122 South Michigan

Avenue, Chicago, Ill. 60603, filed in Docket No. CP69-21 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Applicant to construct and operate an additional compressor and appurtenant facilities at Applicant's existing Compressor Station 111 in Hutchinson County, Tex., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to install a 1,040 SHP compressor and appurtenant facilities which will provide the needed flexibility in the operation of Applicant's Amarillo line, particularly in that portion of said line which traverses Oklahoma and north Texas. Applicant states that the instant facilities will enable it to receive into the 26-inch Oklahoma extension of said Amarillo line and transport for delivery into Station 111 additional volumes of gas, on the order of 40,000 to 50,000 Mcf per day over and above that which Applicant can presently receive into and transport through said pipeline.

Total estimated cost of the proposed facilities is \$323,000, which cost will be financed from funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before September 9, 1968.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-10020; Filed, Aug. 20, 1968; 8:48 a.m.]

[Docket No. CP69-20]

NORTHERN NATURAL GAS CO.

Notice of Application

AUGUST 14, 1968.

Take notice that on August 5, 1968, Northern Natural Gas Co. (Applicant), 2223 Dodge Street, Omaha, Nebr. 68102, filed in Docket No. CP69-20 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain measuring facilities in Ochiltree County, Tex., and the sale for resale of natural gas to High Plains Natural Gas Co. (High Plains) for distribution to the communities of Booker, Canadian, Higgins, Mobeetie, Perryton, and Spearman, Tex.

Specifically, Applicant seeks authorization to install and operate a 3-inch side tap and measuring station to enable it to deliver up to 1,000 Mcf per day of natural gas on a firm basis to High Plains.

The application states that the supply of gas is required by High Plains as a supplemental supply of gas to insure adequate service to its customers for the coming and future heating seasons.

Total estimated cost of the proposed facilities is \$4,950, which cost will be paid by High Plains.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before September 9, 1968.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-10021; Filed, Aug. 20, 1968; 8:48 a.m.]

[Docket No. RI69-49, etc.]

UNION OIL COMPANY OF CALIFORNIA ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates¹

AUGUST 14, 1968.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before October 2, 1968.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

¹ Does not consolidate for hearing or dispose of the several matters herein.

Docket No.	Respondent	Rate sched- ule No.	Sup- ple- ment No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless sus- pended	Date sus- pended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI69-49.....	Union Oil Co. of California, Union Oil Center, Los Angeles, Calif. 90017.	20	12	Kansas-Nebraska Natural Gas Co., Inc. (Camrick Area, Beaver and Texas County, Okla.) (Panhandle Area).	\$900	7-24-68	*9- 1-68	2- 1-69	*18.0	*18.2	RI68-48.
RI69-50.....	Progress Petroleum, Inc. (Operator), 426 Oil and Gas Bldg., Wichita Falls, Tex. 76301.	1	2	Lone Star Gas Co. (McGregor Gasoline Plant, Archer County, Tex.) (RR. District No. 9).	1,150	7-15-68	*8-15-68	1-15-69	16.0	*17.0	RI68-400.

* The stated effective date is the effective date requested by Respondent.

* Periodic rate increase.

* Pressure base is 14.65 p.s.i.a.

* Subject to a downward B.t.u. adjustment.

* The stated effective date is the first day after expiration of the statutory notice.

Progress Petroleum, Inc. (Operator) (Progress), requests that its proposed rate increase be permitted to become effective on July 1, 1968. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Progress' rate filing and such request is denied.

Union Oil Company of California and Progress' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR Ch. I, Part 2, § 2.56).

[F.R. Doc. 68-10022; Filed, Aug. 20, 1968; 8:48 a.m.]

[Docket No. CP69-26]

ARKANSAS-MISSOURI POWER CO., AND MISSISSIPPI RIVER TRANS- MISSION CORP.

Notice of Application

AUGUST 15, 1968.

Take notice that on August 9, 1968, Arkansas-Missouri Power Co. (Applicant), 405 West Park Street, Blytheville, Ark. 72315, filed in Docket No. CP69-26, an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Mississippi River Transmission Corp. (Respondent), to establish physical connection of its transmission facilities with the proposed facilities of Applicant and to sell natural gas to Applicant for resale in the cities of Greenville and Piedmont, in Wayne County, Mo. Further, Applicant seeks an order under section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity to construct a 4-inch and 3-inch transmission line from the point of connection with Respondent to the cities of Greenville and Piedmont, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to construct and operate distribution systems to Greenville and Piedmont, and to construct 16.6 miles of 4-inch and 3-inch transmission line extending from the proposed connection with the Respondent's facilities to the two communities. Applicant states that the service proposed herein is initial gas service.

The estimated third year peak day and annual requirements of Applicant are 925 Mcf and 90,963 Mcf, respectively.

The estimated cost of the initial construction to commence the proposed operations is \$439,575, which cost will be financed from treasury funds and proceeds from unsecured temporary bank loans.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before September 12, 1968.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-9989; Filed, Aug. 20, 1968; 8:45 a.m.]

[Docket No. CP69-24]

CITY OF BERRY, ALABAMA, AND SOUTHERN NATURAL GAS CO.

Notice of Application

AUGUST 15, 1968.

Take notice that on August 8, 1968, the city of Berry, Ala. (Applicant), filed in Docket No. CP69-24 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Southern Natural Gas Co. (Respondent) to establish physical connection of its transportation facilities with the facilities of Applicant's proposed natural gas distribution system through which local distribution of natural gas will be made to the public in the city of Berry, Ala., and the area adjacent thereto and to sell natural gas to Applicant for such purpose, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the city of Berry is not now rendering gas service of any kind. The application further states that the allocation of natural gas is requested in the name of the municipality although the actual operation and maintenance of the city's natural gas system will be done by a natural gas Board.

The estimated third year peak day and annual requirements of Applicant are 374.6 Mcf and 37,199 Mcf, respectively.

The total estimated cost of the new construction is \$255,000, which cost will

be financed by the issuance of natural gas revenue bonds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before September 12, 1968.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-9990; Filed, Aug. 20, 1968; 8:45 a.m.]

[Docket No. CP68-315]

CONSOLIDATED GAS SUPPLY CORP.

Notice of Petition To Amend

AUGUST 15, 1968.

Take notice that on August 5, 1968, Consolidated Gas Supply Corp. (Petitioner), 445 West Main Street, Clarksburg, W. Va. 26301, filed in Docket No. CP68-315 a petition to amend the order of the Commission issued in said docket on July 5, 1968, which order authorized Petitioner to increase the storage service which it renders for Transcontinental Gas Pipe Line Corp. (Transco) to provide for a storage capacity volume of 13,575,000 Mcf and a storage demand of 263,500 Mcf, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By the instant filing, Petitioner seeks amendment of said order by requesting authorization to increase its maximum annual volume of storage service for Transco from 13,575,000 Mcf to 15,575,000 Mcf for the current storage year beginning April 1, 1968.

The petition states that Petitioner's ability to render the increased storage service results from a higher than expected injection level during the current injection period.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (157.10) on or before September 11, 1968.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-9991; Filed, Aug. 20, 1968; 8:45 a.m.]

[Docket No. CP68-164]

NATURAL GAS PIPELINE CO. OF AMERICA**Notice of Petition to Amend**

AUGUST 15, 1968.

Take notice that on August 7, 1968, Natural Gas Pipeline Co. of America (Petitioner), 122 South Michigan Avenue, Chicago, Ill. 60603, filed in Docket No. CP68-164 a petition to amend the order of the Commission issued in said docket May 3, 1968, which order authorized Petitioner to expand its pipeline and storage facilities, including authorization to operate the Loudon Storage Field, Fayette, and Effingham Counties, Ill., for customer service, and in such order limited the amount of gas which Petitioner may inject into the Loudon Field to 11.6 billion cubic feet at 14.73 p.s.i.a. and 60° F., all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By the instant filing, Petitioner seeks amendment of said order by requesting that the inventory limitation applicable to the Loudon Field be increased to 20 billion cubic feet at 14.73 p.s.i.a. and 60° F.

Petitioner states that it has been able to develop the Loudon Field at a rate faster than had been earlier anticipated, with the result that it expects to reach the existing limitation of 11.6 billion cubic feet within the next few months. The petition states that it is necessary that such limitation be increased so that Petitioner may continue the development of this field.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before September 9, 1968.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-9992; Filed, Aug. 20, 1968; 8:45 a.m.]

DEPARTMENT OF DEFENSE**Department of the Army****STATEMENT OF ORGANIZATION AND FUNCTIONS****Description of Central and Field Agencies**

Section 3 of the Statement of Organization and functions, appearing at 32 F.R. 13016-13028, September 13, 1967, is amended by revising paragraph (c), United States Army Combat Developments Command, to read as follows:

Sec. 3. Major Army Field Commands.

(c) U.S. Army Combat Developments Command—

(1) Purpose. This paragraph sets forth the mission and principal functions of the Commanding General, U.S. Army

Combat Developments Command and prescribes command and staff relationships with higher and collateral echelons.

(2) Mission. The mission of the Commanding General, U.S. Army Combat Developments Command, a major field commander of the Department of the Army, is to—

(i) Formulate and document concepts, doctrine, materiel requirements, and organizations for:

(a) The Army in the field in all combat environments.

(b) Army participation in the unified defense of the United States against air and missile attack.

(c) Army support of U.S. civil authorities and civil defense.

(ii) Determine, in anticipation of the nature of land warfare in the future, the kinds of forces and materiel needed and how these forces and materiel should be employed.

(iii) Design the Land Combat System for the Army in the field for approximately 20 years in the future.

(iv) Make recommendations to Headquarters, Department of the Army, in regard to the above matters.

(3) Principal functions. The principal functions of the Commanding General, U.S. Army Combat Developments Command, are to—

(i) Formulate, develop, test, recommend and document new or improved concepts, doctrine, materiel requirements, and organizations for—

(a) The Army in the field in all combat environments.

(b) Army participation in the unified defense of the United States against air and missile attack, in coordination with Commanding General, U.S. Army Air Defense Command.

(c) Army support of U.S. civil authorities and civil defense.

(ii) Formulate every 5 years and update if necessary annually a long range strategic study for use by Headquarters, Department of the Army, in long range planning.

(iii) Recommend annual revisions to the Army Force Development Plan, Combat Development Objectives Guide, and the Army Master Study Program.

(iv) Prepare recommendations with regard to revision of the Basic Army Strategic Estimate and the Army Strategic Plan.

(v) Recommend the integration of new or improved doctrine, materiel and organizations into the Army in the field.

(vi) Formulate, in coordination with the developing agencies, and submit to Headquarters, Department of the Army for approval operational capabilities objectives, qualitative materiel development objectives, advanced development objectives, qualitative materiel requirements, and small development requirements for materiel to be used by the Army in the field. Review, comment upon, and submit to Headquarters, Department of the Army for final action all objectives and requirements documents relating to materiel for use by units not of the Army in the field.

(vii) Review and recommend to the Headquarters, Department of the Army

concerning continued validity of, or the need for revision or elimination of operational capabilities objectives, qualitative materiel development objectives, advanced development objectives, qualitative materiel requirements, and small development requirements.

(viii) Provide user guidance to materiel developing agencies during all phases of the development process.

(ix) Evaluate the overall military worth of Army materiel and systems throughout their life cycle from inception disposition.

(x) Review and provide approval of service test plans, review other developmental test plans and reports from the viewpoint of troop operational employment and overall military worth, and provide comments to the developing agency.

(xi) Participate in the In-Process Review, System Status Evaluations, Materiel Status Committee, and Materiel Requirements Review Committee activities.

(xii) Analyze, develop, and submit to Headquarters, Department of the Army for approval theater ammunition combat rates as prescribed by AR 710-8.

(xiii) Develop and recommend to Headquarters, Department of the Army:

(a) Basis of Issue Plans for new items of equipment proposed for engineering development or type classification, except for Basis of Issue Plans for Medical equipment and U.S. Army Security Agency sole user equipment which will be developed by The Surgeon General and the Commanding General, U.S. Army Security Agency respectively in coordination with Commanding General, U.S. Army Combat Developments Command.

(b) Qualitative and quantitative personnel requirements for additions, changes, or deletions to the military occupational specialty (MOS) codes generated by doctrinal or organizational changes. Provide advice and assistance as requested to the developing agencies with respect to qualitative or quantitative personnel requirements generated by new or improved equipment or systems development.

(c) Logistics systems for the Army in the field to include—

(1) Systems and procedures for the conduct and management of logistics operations.

(2) Automation of logistics systems and procedures encompassing computer programming, design of input/output forms consistent with applicable logistics procedures and Department of the Army regulatory requirements.

(d) Tables of Organization and Equipment (TOE) including tentative TOE: and publish and distribute tentative TOE when authorized by Headquarters, Department of the Army.

(e) Manpower authorization standards and criteria for non-supervisory enlisted service-type personnel positions and activities in proponent TOE.

(xiv) Develop the Army contribution to joint doctrine as it applies to the Army in the field in all combat environments; to Army participation in the unified defense of the United States against air

and missile attack, in coordination with U.S. Army Air Defense Command; and to Army support of U.S. civil authorities and civil defense.

(xv) Promulgate approved doctrine by means of field manuals and other doctrinal publications.

(xvi) Provide expedited combat developments in response to rapidly developing requirements for new or improved doctrine, materiel, or organization.

(xvii) Review doctrine, materiel requirements, and organization of other U.S. Military Services and of potential enemy military forces to determine implications with respect to the U.S. Army. Maintain liaison with counterpart organizations of other U.S. Military Services to insure the conduct of combat developments in the joint area and the elimination of unnecessary duplication.

(xviii) Command subordinate headquarters and activities as may be assigned by Headquarters, Department of the Army; plan, program, coordinate requirements, and provide and supervise utilization of resources for accomplishment of basic U.S. Army Combat Developments Command missions, functions, and responsibilities; coordinate the provision of base operation and other support to U.S. Army Combat Developments Command activities which are tenants on facilities of other commands; and budget and fund for financial resources as specified in AR 37-1.

(xix) Review and comment on proposed product improvements to insure compatibility with the Army combat development program.

(xx) Analyze and recommend corrective action concerning information obtained from Operational Reports-Lessons Learned that relate to organization and doctrine.

(xxi) Formulate, in coordination with major interested agencies, and submit to Headquarters, Department of the Army for approval functional system design requirements for computer software to be used by the Army in the field.

(4) *Command and staff relationships.* The Commanding General, U.S. Army Combat Developments Command is under the supervision of the Chief of Staff, U.S. Army. Directives, authorities, policy, planning and program guidance, approved programs, and resource allocations are issued to the Commanding General, U.S. Army Combat Developments Command, by the Chief of Staff, U.S. Army.

(5) *Collateral relationships.* (i) The U.S. Army Combat Developments Command and the other major Army commands are coordinate elements of the Department of the Army. The Commanding General, U.S. Army Combat Developments Command is authorized to communicate directly with other major Army commanders or with heads of Headquarters, Department of the Army agencies in their command capacities with respect to matters of mutual interest.

(ii) The Commanding General, U.S. Army Combat Developments Command will—

(a) Assure liberal exchange of information with the commanders of materiel

developing agencies and training agencies relative to approved projects for the development of materiel, including qualitative and quantitative personnel requirements resulting therefrom, and will maintain an awareness of other developments which will have an impact on future materiel requirements, development and test programs for new equipment, and training publications.

(b) Inform other major commanders and Department of the Army Staff agencies of combat development activities which will have an impact on their operational and training missions, programs, and requirements, and will assure liberal exchange of information relative to their support of and interest in U.S. Army Combat Developments Command development activities.

(c) Establish contact with commanders of Army components of unified commands to insure that Army combat development activities are quickly responsive to Army objectives and requirements.

(d) Coordinate proposed qualitative materiel development objectives, qualitative materiel requirements, and small development requirements with the other Military Services and other Government agencies as appropriate to insure inter-service compatibility and eliminate duplication; and with quadripartite allies in accordance with international agreements, current disclosure and other policies governing these activities.

(e) Coordinate closely with the U.S. Army Materiel Command in the development of logistics systems that involve an interface between wholesale logistics procedures and logistics procedures at Army in the field level.

(f) Maintain liaison with combat development or similar activities of industry, civilian institutions of higher learning, and other governmental agencies to maintain an awareness of their developments and to exchange information pertaining to matters of mutual interest.

(g) Maintain liaison with counterpart agencies of friendly nations in order to take cognizance of friendly foreign combat developments, improve standardization and harmonization with allied forces, and eliminate unnecessary duplication.

For the Adjutant General.

R. F. ASKEY,
Colonel, AGC,
Comptroller, TAGO.

[F.R. Doc. 68-10017; Filed, Aug. 20, 1968;
8:48 a.m.]

DEPARTMENT OF JUSTICE

Bureau of Narcotics and Dangerous Drugs

[Directive No. 4]

ASSOCIATE DIRECTORS

Redelegation of Functions

Under the authority delegated to the Director of the Bureau of Narcotics and Dangerous Drugs by the Attorney Gen-

eral in Order No. 393-68, 33 F.R. 5580, I hereby make the following redelegations:

1. The Associate Directors are authorized to exercise all necessary functions with respect to the issuance of narcotic drug importation and exportation permits pursuant to sections 173 and 182 of Title 21, United States Code, and Part 302 of Title 21, Code of Federal Regulations.

2. The Chief Counsel or, in his absence the Deputy Chief Counsel, are authorized to exercise all necessary functions with respect to the following described matters:

(a) Decisions on petitions for remission or mitigation of forfeitures incurred under the Act of August 9, 1939 (49 U.S.C. 781 et seq.) pursuant to section 1619 of Title 19, United States Code, and

(b) Execution of seal for certification required to authenticate any documents pursuant to section 0.146 of Title 28, Code of Federal Regulations.

Dated: August 5, 1968.

JOHN E. INGERSOLL,
Director.

[F.R. Doc. 68-9988; Filed, Aug. 20, 1968;
8:45 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[AR 035656]

ARIZONA

Notice of Classification of Public Lands for Exchange; Correction

In F.R. Doc. 68-9339 appearing on page 1122 of the issue of August 6, 1968, the following change should be made:

2. Publication of the notice of proposed classification had the effect of segregating the described lands from all forms of appropriation under the public land laws, including the mining laws, except private exchanges. The lands will remain open to the mineral leasing laws.

FRED J. WEILER,
State Director.

AUGUST 13, 1968.

[F.R. Doc. 68-9998; Filed, Aug. 20, 1968;
8:46 a.m.]

[Sacramento 1679]

CALIFORNIA

Notice of Proposed Withdrawal and Reservation of Lands

AUGUST 14, 1968.

The Bureau of Land Management, U.S. Department of the Interior, has filed an application Serial No. Sacramento 1679 for the withdrawal of the land described below, from all forms of appropriations under the public land laws, including the mining but not the mineral leasing laws. The applicant desires the land for the South Yuba-Round Mountain Recreation Area.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with

the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, U.S. Department of the Interior, Room 4201, U.S. Courthouse and Federal Building, 650 Capitol Mall, Sacramento, Calif. 95814.

The Department's regulations (43 CFR 2311.1-3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with a view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

CALIFORNIA

MOUNT DIABLO MERIDIAN

South Yuba-Round Mountain Recreation Area

- T. 17 N., R. 9 E.,
 Sec. 10, S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 13, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 14, lot 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 15, lots 2 and 3, NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 16, N $\frac{1}{2}$ lot 1, lots 4 and 5, E $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, exclusive of any portion unpatented lot 77;
 Sec. 17, S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 20, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 22, lot 12.

The areas described aggregate approximately 1,233 acres in Nevada County.

JESSE H. JOHNSON,
 Acting Chief, Lands,
 Adjudication Section.

[F.R. Doc. 68-9999; Filed, Aug. 20, 1968;
 8:46 a.m.]

[New Mexico 4842]

NEW MEXICO

Notice of Proposed Classification

AUGUST 14, 1968.

Pursuant to section 2 of the Act of September 19, 1964 (43 U.S.C. 1412), notice is hereby given of a proposal to classify the land described below for disposal

through exchange, under section 8 of the Act of June 28, 1934 (48 Stat. 1269; 43 U.S.C. 315g), as amended, for lands within Chaves County, N. Mex.

The District Advisory Board, local governmental officials, and other interested parties have been notified of this application. Information derived from discussions and other sources indicate that these lands meet the criterion of 43 CFR 2410.1-3(c)(4), which authorizes classification of lands "for exchanges under appropriate authority where they are found to be chiefly valuable for public purposes because they have special values, arising from the interest of exchange proponents, for exchange for other lands which we need for the support of a Federal program." Information concerning the lands, including the record of public discussions, is available for inspection and study in the Land Office, Bureau of Land Management, U.S. Post Office and Federal Building, Santa Fe, N. Mex. 87501; Socorro District Office, 200 Neel Avenue, Socorro, N. Mex. 87801, and Roswell District Office, Post Office Box 1397, Roswell, N. Mex. 88201.

For a period of 60 days from the date of this publication, interested parties may submit comments to the District Manager of the Socorro or Roswell District Office.

The lands affected by this proposal are located in McKinley, Sandoval, and San Juan Counties, N. Mex., and are described as follows:

NEW MEXICO PRINCIPAL MERIDIAN, N. MEX.

- T. 23 N., R. 6 W.,
 Sec. 21, NE $\frac{1}{4}$ NE $\frac{1}{4}$.
 T. 19 N., R. 8 W.,
 Sec. 14, lots 3, 4, and E $\frac{1}{2}$ SW $\frac{1}{4}$.
 T. 23 N., R. 9 W.,
 Sec. 1, lots 3, 4, and S $\frac{1}{2}$ NW $\frac{1}{4}$.
 T. 25 N., R. 9 W.,
 Sec. 5, S $\frac{1}{2}$;
 Sec. 6, lots 6, 7, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 7, lot 1, NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 19, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$.
 T. 25 N., R. 10 W.,
 Sec. 1, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and N $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$.
 T. 13 N., R. 17 W.,
 Sec. 28, W $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$.
 T. 14 N., R. 17 W.,
 Sec. 4, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, and SE $\frac{1}{4}$;
 Sec. 6, lots 1, 3, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 8, W $\frac{1}{2}$ and SE $\frac{1}{4}$;
 Sec. 22, lots 1, 2, 3, 4, and W $\frac{1}{2}$ W $\frac{1}{2}$.
 T. 13 N., R. 19 W.,
 Sec. 32, W $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$.
 T. 13 N., R. 20 W.,
 Sec. 28, NE $\frac{1}{4}$.

The areas described aggregate 3500.58 acres.

MICHAEL T. SOLAN,
 Acting State Director.

[F.R. Doc. 68-10001; Filed, Aug. 20, 1968;
 8:46 a.m.]

[New Mexico 6286]

NEW MEXICO

Notice of Classification of Public Lands for Transfer Out of Federal Ownership

AUGUST 14, 1968.

1. Pursuant to the act of September 19, 1964 (43 U.S.C. 1411-18), and the regu-

lations in 43 CFR Parts 2410 and 2411, the following public lands are hereby classified for disposal as specified below. As a result of comments received following publication of the proposed classification (33 F.R. 8283-8286), and the public hearing held in Datil, N. Mex., no changes are being made from the original proposal.

2. Priority for disposals will be given to applications for (a) State grants and indemnity selections (43 U.S.C. 851, 852); (b) exchanges for transfer out of Federal ownership under section 8 of the Taylor Grazing Act (43 U.S.C. 315g); and (c) public sales under section 2455 of Revised Statutes (43 U.S.C. 1171).

NEW MEXICO PRINCIPAL MERIDIAN, N. MEX.

UNIT 30-02-71

- T. 1 N., R. 11 W.,
 Sec. 6, lot 7, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 3 N., R. 11 W.,
 Sec. 12.
 T. 1 N., R. 12 W.,
 Sec. 11, E $\frac{1}{2}$;
 Sec. 15, NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 19, lots 20, 21, 26 to 34, inclusive, 36, 37, 39 to 44, inclusive;
 Sec. 20, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, and N $\frac{1}{2}$ S $\frac{1}{2}$.
 T. 2 N., R. 12 W.,
 Sec. 18, lots 2, 3, 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$.
 T. 1 N., R. 13 W.,
 Sec. 5, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 7, lots 1, 2, NE $\frac{1}{4}$, and E $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 9;
 Sec. 10, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 11, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 12, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
 Sec. 13, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 14, S $\frac{1}{2}$ N $\frac{1}{2}$ and N $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 15, S $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 17, S $\frac{1}{2}$;
 Sec. 18, E $\frac{1}{2}$;
 Sec. 20, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 21, N $\frac{1}{2}$ N $\frac{1}{2}$;
 Sec. 22, N $\frac{1}{2}$ NW $\frac{1}{4}$.
 T. 2 N., R. 13 W.,
 Sec. 24, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$.
 T. 1 N., R. 14 W.,
 Sec. 7, lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 13, N $\frac{1}{2}$ S $\frac{1}{2}$.
 T. 2 N., R. 14 W.,
 Sec. 3, SE $\frac{1}{4}$;
 Sec. 4, lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 9, NW $\frac{1}{4}$ and S $\frac{1}{2}$;
 Sec. 10, NE $\frac{1}{4}$ and S $\frac{1}{2}$;
 Sec. 14;
 Sec. 15, N $\frac{1}{2}$ and SE $\frac{1}{4}$.
 T. 3 N., R. 14 W.,
 Sec. 33, W $\frac{1}{2}$ W $\frac{1}{2}$.
 T. 4 N., R. 14 W.,
 Sec. 12, SW $\frac{1}{4}$.
 T. 6 N., R. 14 W.,
 Sec. 30.
 T. 1 N., R. 15 W.,
 Sec. 7, lot 3;
 Sec. 9, SE $\frac{1}{4}$;
 Sec. 10, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 11, N $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, and NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 12, N $\frac{1}{2}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$.
 T. 2 N., R. 15 W.,
 Sec. 1, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 3, S $\frac{1}{2}$;
 Sec. 9, S $\frac{1}{2}$;
 Sec. 18, W $\frac{1}{2}$ E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$;
 Sec. 20, S $\frac{1}{2}$;
 Sec. 29, N $\frac{1}{2}$.
 T. 3 N., R. 15 W.,
 Sec. 15, W $\frac{1}{2}$ SW $\frac{1}{4}$.

T. 6 N., R. 15 W.,
Sec. 24.
T. 1 N., R. 16 W.,
Sec. 1, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 10, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 12, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 13, NW $\frac{1}{4}$;
Sec. 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 15, W $\frac{1}{2}$ E $\frac{1}{2}$, W $\frac{1}{2}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 22, N $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 23, W $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 26, W $\frac{1}{2}$ E $\frac{1}{2}$ and W $\frac{1}{2}$;
Sec. 29, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 34, E $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 2 N., R. 16 W.,
Sec. 29, NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 30, E $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 5 N., R. 16 W.,
Sec. 35.
T. 3 N., R. 19 W.,
Sec. 21, N $\frac{1}{2}$;
Sec. 22, NE $\frac{1}{4}$;
Sec. 23, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 26;
Sec. 33, E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 34, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 35, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 1 N., R. 20 W.,
Sec. 7, lots 1, 2, 3, 4, and E $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 18, lots 1, 2, 3, 4, and E $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 19, lots 2, 3, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 20, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 29, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 30, lots 1, 2, 3, 4, and E $\frac{1}{2}$;
Sec. 31, lots 1, 2, 3, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 3 N., R. 20 W.,
Sec. 4, lot 4;
Sec. 5, lot 1;
Sec. 13, N $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 14, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 19, lot 3, E $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 20, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 21, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 22, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 23, N $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 6 N., R. 20 W.,
Sec. 4, lot 1.
T. 1 N., R. 21 W.,
Sec. 1, lots 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
Sec. 3, lot 4 and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 9, lots 1, 2, 3, 4, and W $\frac{1}{2}$ E $\frac{1}{2}$;
Sec. 10, SE $\frac{1}{4}$;
Sec. 11;
Sec. 12, lots 1, 2, 3, 4, W $\frac{1}{2}$ E $\frac{1}{2}$, and E $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 13, lots 1, 2, 3, 4, W $\frac{1}{2}$ E $\frac{1}{2}$, and E $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 14;
Sec. 15, E $\frac{1}{2}$;
Sec. 23, S $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 24, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 25, W $\frac{1}{2}$ E $\frac{1}{2}$, NW $\frac{1}{4}$, and S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 26, S $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$;
Sec. 28, lots 1, 4, and N $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 33, lots 1, 2, 3, 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 34, E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 35.
T. 2 N., R. 21 W.,
Sec. 34, SW $\frac{1}{4}$;
Sec. 35, E $\frac{1}{2}$ W $\frac{1}{2}$.
T. 3 N., R. 21 W.,
Sec. 24, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ S $\frac{1}{2}$.
T. 3 S., R. 13 W.,
Sec. 21, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 29, N $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 1 S., R. 21 W.,
Sec. 1, lots 1 to 8, inclusive;
Sec. 3, lots 1, 2, 3, 6, 7, 8, 9, 10, 11, 14, 15, 16, and E $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 4, lots 3, 4, 5, 6, 11, 12, 13, 14, 17, 18, and E $\frac{1}{2}$ SW $\frac{1}{4}$;

Sec. 9, lots 1, 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 10, W $\frac{1}{2}$;
Secs. 13, 14, and 15;
Sec. 21, lots 1, 2, 3, 4, E $\frac{1}{2}$, and E $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 22, W $\frac{1}{2}$;
Sec. 23, E $\frac{1}{2}$;
Sec. 24.

The areas described above aggregate 33,372.22 acres.

UNIT 30-02-72

T. 6 N., R. 1 W.,
Sec. 6, lots 4 and 5;
Sec. 18, NE $\frac{1}{4}$.
T. 5 N., R. 3 W.,
Secs. 4, 6, 8, 10, 12, 14, and 22;
Sec. 28, NE $\frac{1}{4}$ and SW $\frac{1}{4}$.
T. 2 N., R. 4 W.,
Sec. 5, lots 3 to 12, inclusive, S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$;
Sec. 6, lots 1 to 7, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 7, lots 5 to 12, inclusive and E $\frac{1}{2}$.
T. 2 N., R. 5 W.,
Sec. 1;
Sec. 12, N $\frac{1}{2}$ N $\frac{1}{2}$.
T. 3 N., R. 5 W.,
Sec. 4, lots 1, 2, 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Secs. 7 and 9;
Sec. 10, S $\frac{1}{2}$;
Sec. 11;
Sec. 14, E $\frac{1}{2}$;
Secs. 15, 17, and 19;
Sec. 20, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, and S $\frac{1}{2}$;
Secs. 21, 22, 23, and 25;
Sec. 27, N $\frac{1}{2}$ NE $\frac{1}{4}$;
Secs. 29, 31, and 33;
Sec. 34, S $\frac{1}{2}$ N $\frac{1}{2}$ and S $\frac{1}{2}$.
T. 4 N., R. 5 W.,
Sec. 14, W $\frac{1}{2}$;
Sec. 20, E $\frac{1}{2}$ and S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 24, S $\frac{1}{2}$;
Sec. 26;
Sec. 28, W $\frac{1}{2}$;
Sec. 30, lots 3 to 8, inclusive, E $\frac{1}{2}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 34, lots 1, 2, 3, 4, and S $\frac{1}{2}$.
T. 2 N., R. 7 W.,
Sec. 4, S $\frac{1}{2}$;
Sec. 6, lots 1 to 7, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$.
T. 3 N., R. 7 W.,
Sec. 28, SE $\frac{1}{4}$;
Sec. 30, W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 34, NE $\frac{1}{4}$.
T. 3 N., R. 8 W.,
Sec. 18;
Sec. 20, N $\frac{1}{2}$ and SW $\frac{1}{4}$;
Sec. 22, N $\frac{1}{2}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 30, lots 1, 2, 3, 4, NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 2 S., R. 10 W.,
Sec. 13, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 14, E $\frac{1}{2}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 23, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 24, E $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 3 S., R. 11 W.,
Sec. 21;
Sec. 22, W $\frac{1}{2}$.
T. 3 S., R. 12 W.,
Sec. 34, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 35, E $\frac{1}{2}$ SE $\frac{1}{4}$.

The areas described aggregate 25,879.51 acres.

UNIT 30-02-73

T. 4 S., R. 5 W.,
Sec. 5, lot 1, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 8, N $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 4 S., R. 6 W.,
Sec. 5, lot 3, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
Sec. 6, lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$.

T. 3 S., R. 7 W.,
Sec. 27, E $\frac{1}{2}$ E $\frac{1}{2}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 33, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 34, E $\frac{1}{2}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$.
T. 4 S., R. 7 W.,
Sec. 3, lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$.
T. 4 S., R. 8 W.,
Secs. 13, 15, 17, 18, 19, and 20;
Sec. 28, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 29;
Sec. 30, lots 1, 3, 4, E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$;
Secs. 31 and 33.
T. 5 S., R. 8 W.,
Secs. 4, 5, 6, 7, and 8;
Sec. 9, lots 1, 2, 3, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 16, lots 1 to 7, inclusive;
Sec. 17, lots 1, 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 18, lot 5, N $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 31, lots 10 and 11.
T. 6 S., R. 8 W.,
Sec. 4, lots 11, 12, 13, 14, 19, 20, 21, and 22;
Secs. 6 and 7;
Sec. 9, lots 3, 4, 5, 6, 11, 12, 13, and 14;
Sec. 21, W $\frac{1}{2}$;
Sec. 28, lots 3, 4, 5, 6, 11, 12, 13, and 14;
Sec. 33, lots 1 to 8, inclusive.
T. 7 S., R. 8 W.,
Sec. 4, lots 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 5;
Sec. 6, lots 2 to 7, inclusive, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 7, lots 1, 2, 3, 4, W $\frac{1}{2}$ E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 8;
Sec. 9, E $\frac{1}{2}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$;
Secs. 17, 20, and 27;
Sec. 30, lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 33, W $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 34, E $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 35, S $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$.
T. 8 S., R. 8 W.,
Sec. 1, lots 2, 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 5, SW $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 7, N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 8, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 17, E $\frac{1}{2}$ E $\frac{1}{2}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 20;
Sec. 27, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, and S $\frac{1}{2}$;
Secs. 23, 29, 30, 33, and 34;
Sec. 35, lots 1 to 8, inclusive.
T. 9 S., R. 8 W.,
Secs. 3, 4, 5, 8, and 9;
Sec. 10, lots 1 to 13, inclusive;
Sec. 11, lots 4, 5, 12, and 13;
Sec. 14, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 15, lots 1, 2, 3, 6, 7, 8, and 9;
Sec. 17, lots 1 and 10 to 16, inclusive;
Sec. 18, lots 3, 4, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$;
Sec. 20, N $\frac{1}{2}$ N $\frac{1}{2}$;
Sec. 21, lots 1 to 6, inclusive;
Sec. 22, lots 2 to 6, inclusive;
Sec. 26, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$;
Sec. 35.
T. 10 S., R. 8 W.,
Sec. 2, lots 3 and 5.
T. 4 S., R. 9 W.,
Sec. 24, E $\frac{1}{2}$;
Sec. 25, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$.
T. 5 S., R. 9 W.,
Sec. 11, N $\frac{1}{2}$;
Sec. 12, N $\frac{1}{2}$;
Sec. 14, NE $\frac{1}{4}$;
Sec. 15, N $\frac{1}{2}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 22;
Sec. 26, N $\frac{1}{2}$ and N $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 27, N $\frac{1}{2}$ and SW $\frac{1}{4}$.
T. 6 S., R. 9 W.,
Sec. 1, lots 5 to 16, inclusive;
Secs. 10, 11, 12, and 15;
Sec. 22, W $\frac{1}{2}$ E $\frac{1}{2}$ and W $\frac{1}{2}$;
Sec. 26, SW $\frac{1}{4}$.

UNIT 30-02-74

T. 7 S., R. 9 W.,
 Sec. 1;
 Sec. 3, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 4, lot 1, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
 Sec. 5, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 8, N $\frac{1}{2}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 9, N $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 10, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 12, N $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 15, N $\frac{1}{2}$ N $\frac{1}{2}$;
 Sec. 17, S $\frac{1}{2}$;
 Sec. 24, W $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 25, N $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$.

T. 8 S., R. 9 W.,
 Sec. 1, lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
 Sec. 24, NE $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 25, NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$.

T. 9 S., R. 9 W.,
 Sec. 12, lots 1, 2, 3, and 4;
 Sec. 13, lots 4, 5, and Tract 40;
 Sec. 24, lot 1.

T. 8 S., R. 10 W.,
 Sec. 1, lots 1, 2, 3, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 12, S $\frac{1}{2}$.

T. 9 S., R. 10 W.,
 Sec. 4, N $\frac{1}{2}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$.

T. 4 S., R. 11 W.,
 Sec. 31, lots 1, 2, 8, 9, 10, 15, and 16.

T. 5 S., R. 11 W.,
 Sec. 6, lots 6, 7, 14, and 15.

T. 6 S., R. 11 W.,
 Sec. 5, lots 5 to 10, inclusive;
 Sec. 8, lots 1 to 8, inclusive;
 Sec. 22, NE $\frac{1}{4}$;
 Sec. 35, lots 1 to 16, inclusive.

T. 6 S., R. 12 W.,
 Sec. 18, lots 5, 6, 7, and 8.

T. 5 S., R. 13 W.,
 Sec. 31, lots 2, 3, 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$.

T. 6 S., R. 13 W.,
 Sec. 6.

T. 8 S., R. 13 W.,
 Sec. 31, SE $\frac{1}{4}$.

T. 5 S., R. 14 W.,
 Sec. 1, lots 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
 Sec. 8, N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 9, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 17, E $\frac{1}{2}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 23;

Sec. 24, E $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
 Sec. 25;

Sec. 26, E $\frac{1}{2}$, NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 27, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 34, W $\frac{1}{2}$ E $\frac{1}{2}$, W $\frac{1}{2}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 35, E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$.

T. 6 S., R. 14 W.,
 Sec. 1.

T. 7 S., R. 14 W.,
 Sec. 5, lots 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
 Sec. 6;

Sec. 7, lots 1, 2, 3, 4, NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 8, N $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 17, NW $\frac{1}{4}$.

T. 5 S., R. 15 W.,
 Secs. 3 and 4;

Sec. 5, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 6, lots 2, 3, 4, 5, 6, 7, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 7, lots 1, 2, NE $\frac{1}{4}$, and E $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 8, N $\frac{1}{2}$;
 Sec. 10, N $\frac{1}{2}$;
 Sec. 11, N $\frac{1}{2}$.

T. 6 S., R. 15 W.,
 Sec. 25.

The areas described aggregate 60,428.08 acres.

T. 1 N., R. 2 W.,
 Sec. 29, lots 1, 2, 3, 4, W $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$;
 Sec. 31.

T. 1 S., R. 2 W.,
 Sec. 8, S $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 16, lot 1;

Sec. 17, lots 1 to 5, inclusive and S $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 19, lots 1 to 5, inclusive, NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Secs. 25, 27, 29, 31, 33, and 35.

T. 2 S., R. 2 W.,
 Sec. 1;
 Sec. 12, E $\frac{1}{2}$ E $\frac{1}{2}$;
 Secs. 13, 14, 22, and 24;
 Sec. 27, N $\frac{1}{2}$.

T. 3 S., R. 2 W.,
 Sec. 7, lots 1, 2, NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 8, N $\frac{1}{2}$;
 Sec. 18, E $\frac{1}{2}$ E $\frac{1}{2}$;
 Sec. 20, SW $\frac{1}{4}$;
 Sec. 29, W $\frac{1}{2}$.

T. 7 S., R. 2 W.,
 Sec. 6, lot 1;
 Sec. 7, lots 1, 2, and 3.

T. 1 S., R. 3 W.,
 Sec. 13, lots 1, 2, 3, 4 and S $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 15, lots 1, 2, 3, 4 and S $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 17, lots 1, 2, 3, 4 and S $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 35, lots 7, 8, 9, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$.

T. 2 S., R. 3 W.,
 Sec. 3, lots 10 to 14, inclusive, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$;
 Sec. 4, lot 6;
 Sec. 5, lots 3, 4 and S $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 9, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
 Sec. 35.

T. 5 S., R. 3 W.,
 Secs. 8, 9, 10, and 11;
 Sec. 12, lot 4;
 Sec. 13, lots 2 and 3;
 Sec. 14, lots 6, 7, 8, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 15, lots 5, 6, 7, 8, N $\frac{1}{2}$ and N $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 17, lots 9 to 15, inclusive, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 18, E $\frac{1}{2}$;
 Sec. 19, E $\frac{1}{2}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 20;
 Sec. 30, lots 3, 4, E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$;
 Sec. 31.

T. 6 S., R. 3 W.,
 Sec. 5, lots 5 to 16, inclusive;
 Secs. 6, 7, 8, 17, 18, 19, 20, and 21;
 Sec. 22, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Secs. 31 and 33;
 Sec. 34, NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 35, E $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$.

T. 7 S., R. 3 W.,
 Sec. 3, lots 3, 4 and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 5, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 6, lot 5;
 Sec. 7, lots 3 and 4;
 Sec. 8, lots 1 and 2;
 Sec. 9, E $\frac{1}{2}$, NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Secs. 10, 11 and 12;
 Sec. 15, N $\frac{1}{2}$ N $\frac{1}{2}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 17, NE $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Secs. 19 and 20;
 Sec. 21, NE $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ W $\frac{1}{2}$;
 Sec. 28, N $\frac{1}{2}$ S $\frac{1}{2}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 30;
 Sec. 31, lot 3, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$.

T. 8 S., R. 3 W.,
 Sec. 30.

T. 2 S., R. 4 W.,
 Sec. 21, lots 3, 4 and W $\frac{1}{2}$ NW $\frac{1}{4}$.

T. 5 S., R. 4 W.,
 Sec. 4, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 5, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 8, W $\frac{1}{2}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$;
 Sec. 13, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 14;
 Sec. 17, N $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 22, E $\frac{1}{2}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
 Sec. 30, lots 2, 3, 4, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 31, lots 1, 2, NE $\frac{1}{4}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$.

T. 6 S., R. 4 W.,
 Sec. 1, lots 5, 6, 7, 8, and S $\frac{1}{2}$;
 Sec. 2, lots 5, 6, and 7;
 Sec. 4, lots 5, 6, and 7;
 Sec. 9, lot 6;
 Sec. 10, lots 1 to 8, inclusive;
 Sec. 12;
 Sec. 14, lots 1 to 7, inclusive;
 Sec. 15, lots 1, 5, and 6;
 Sec. 16, lots 1, 2, 3, and 4;
 Sec. 17, lot 1;
 Sec. 22, lots 1 to 5, inclusive, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 23, lots 1 and 2;
 Sec. 25, lots 1 and 2;
 Sec. 26, lot 1;
 Sec. 36, lots 1 and 2.

T. 7 S., R. 4 W.,
 Sec. 9, lot 1;
 Sec. 13;
 Sec. 23, NE $\frac{1}{4}$;
 Sec. 24, lots 1, 2, W $\frac{1}{2}$ NE $\frac{1}{4}$, and NW $\frac{1}{4}$;
 Sec. 34, lots 1, 2, 3, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 35, lot 1, N $\frac{1}{2}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 36, lots 1, 2, 3, and 4.

T. 8 S., R. 4 W.,
 Sec. 9, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 24, S $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 25, NE $\frac{1}{4}$, W $\frac{1}{2}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 26, SE $\frac{1}{4}$;
 Sec. 35, E $\frac{1}{2}$.

T. 5 S., R. 5 W.,
 Sec. 25, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$.

The areas described aggregate 43,098.14 acres.

3. Publication of this notice segregates the affected lands from all forms of disposal under the public land laws, including the mining laws, except the form or forms of disposal for which the lands are classified. However, publication does not alter the applicability of the public land laws governing the use of the lands under lease, license or permit, or governing the disposal of their mineral and vegetative resources, other than under the mining laws.

4. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 721, Washington, D.C. 20240 (43 CFR 2411.12(d)).

MICHAEL T. SOLAN,
 Acting State Director.

[F.R. Doc. 68-10002; Filed, Aug. 20, 1968; 8:46 a.m.]

[NM Misc. 17]

NEW MEXICO

Order Opening Lands to Entry and Patenting

AUGUST 14, 1968.

1. In an exchange of lands made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1269), as amended (43 U.S.C. 315g), the following described

lands have been reconveyed to the United States:

NEW MEXICO PRINCIPAL MERIDIAN

T. 21 S., R. 27 E.,
Sec. 9, N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$.

The area described aggregates 20 acres in Eddy County.

Terrain is rolling. Soil is very rocky sand. Vegetation consists of mesquite with some creosote and three awn and fluff grass.

2. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the lands are hereby opened to indemnity selection by the State of New Mexico pursuant to the regulations contained in 43 U.S.C. 851, 852 since the land is suitable for indemnity selection by the State of New Mexico.

Inquiries concerning the land should be addressed to the Manager, Land Office, Bureau of Land Management, Santa Fe, N. Mex. 87501.

MICHAEL T. SOLAN,
Chief, Division of Lands and
Minerals, Program Manage-
ment and Land Office.

[F.R. Doc. 68-10003; Filed, Aug. 20, 1968;
8:46 a.m.]

[OR 2230]

OREGON

Opening of Lands

AUGUST 14, 1968.

1. In an order issued July 31, 1967 (32 F.R. 11401), the Federal Power Commission vacated the power withdrawals created pursuant to the filing on December 18, 1928, of an application for license for Project No. 945, and on January 19, 1937, of an application for license for Project No. 1419, for the following described lands:

WILLAMETTE MERIDIAN

MOUNT HOOD NATIONAL FOREST

Project No. 945

T. 3 S., R. 8 $\frac{1}{2}$ E.,
Sec. 13, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 14, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Project No. 1419

T. 3 S., R. 8 $\frac{1}{2}$ E.,
Sec. 14, E $\frac{1}{2}$ SE $\frac{1}{4}$.

The areas described aggregate 200 acres in Clackamas County within the Mount Hood National Forest.

2. By virtue of the authority vested in the Secretary of the Interior by section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, and otherwise, the lands are hereby opened to such forms of disposal as may by law be made of national forest lands, effective at 10 a.m. on September 19, 1968. They have been open to applications and offers under the mineral leasing laws and to location under the U.S. mining laws.

VIRGIL O. SEISER,
Chief, Branch of Lands.

[F.R. Doc. 68-10000; Filed, Aug. 20, 1968;
8:46 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[File 23(68)-4]

**PIERRE VERMOREL AND GENERAL
BROKERS S.A.**

**Order Denying Export Privileges for
an Indefinite Period**

In the matter of Pierre Vermorel, Orense 37, Madrid 20, Spain, and 43 Rue de la Concorde, Brussels, Belgium, and General Brokers S.A., Orense 37, Madrid 20, Spain, Respondents.

The Director, Investigations Division, Office of Export Control, Bureau of International Commerce, U.S. Department of Commerce, has applied for an order denying to the above-named respondents all export privileges for an indefinite period because the said respondents failed to furnish answers to interrogatories and failed to furnish certain records and other writings specifically requested, without good cause being shown. This application was made pursuant to § 382.15 of the Export Regulations (Title 15, Chapter III, Subchapter B, Code of Federal Regulations).

In accordance with the usual practice, the application was reviewed by the Compliance Commissioner, Bureau of International Commerce, who after consideration of the evidence has recommended that the application be granted. The report of the Compliance Commissioner and the evidence in support of the application have been considered.

The evidence presented shows that the respondent General Brokers S.A. has a place of business in Madrid, Spain, and that it is in the business of bringing importers and exporters into contact with Spanish firms; that the respondent Pierre Vermorel was a director of said firm; that said Vermorel on November 26, 1967, in connection with an application for an export license filed with the Office of Export Control, signed a certification on behalf of General Brokers, S.A., that certain strategic electronic equipment for which said license was sought would not be sold outside of Spain.

The said Investigations Division is conducting an investigation relating to the participation of respondents in said transaction, particularly as to their ordering of the commodities in question; whether the statements in said certification were true; and the participation of other parties in connection with said transaction.

It is impracticable to subpoena the respondents, and relevant and material written interrogatories and requests to furnish certain specific documents relating to the matters under investigation were served on them pursuant to § 382.15 of the Export Regulations. The respondents have failed to furnish answers to the interrogatories and have failed to furnish the documents requested, all as required by said section. They have not

shown good cause for such failure. I find that an order denying export privileges to said respondents for an indefinite period is reasonably necessary to protect the public interest and to achieve effective enforcement of the Export Control Act of 1949, as amended. Accordingly, it is hereby ordered:

I. All outstanding validated export licenses in which respondents appear or participate in any manner or capacity are hereby revoked and shall be returned forthwith to the Bureau of International Commerce for cancellation.

II. The respondents, their representatives, agents, and employees hereby are denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject to the Export Regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction, either in the United States or abroad, shall include participation, directly or indirectly, in any manner or capacity: (a) As a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or reexportation authorization, or any document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control document; (d) in the carrying on of negotiations with respect to, or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data in whole or in part exported or to be exported from the United States; and (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. Such denial of export privileges shall extend not only to the respondents, but also to any successor of the respondent firm and to respondents' agents and employees and to any person, firm, corporation, or business organization with which respondents now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

IV. This order shall remain in effect until the respondents provide responsive answers, written information, and documents in response to the interrogatories heretofore served upon them or give adequate reasons for failure to do so, except insofar as this order may be amended or modified hereafter in accordance with the Export Regulations.

V. No person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, or carry on negotiations with respect thereto, in any manner or capacity, on behalf of or in any association with the respondents or any related party, or

whereby the respondents or any related party may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to any exportation, reexportation, transshipment or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any such respondent or related party denied export privileges; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

VI. A copy of this order shall be served on respondents.

VII. In accordance with the provisions of § 382.15 of the Export Regulations, the respondents may move at any time to vacate or modify this Indefinite Denial Order by filing with the Compliance Commissioner, Bureau of International Commerce, U.S. Department of Commerce, Washington, D.C. 20230, an appropriate motion for relief, supported by substantial evidence, and may also request an oral hearing thereon, which, if requested shall be held before the Compliance Commissioner at Washington, D.C., at the earliest convenient date.

Dated: August 14, 1968.

This order shall become effective on August 20, 1968.

RAUER H. MEYER,
Director,
Office of Export Control.

[F.R. Doc. 68-9997; Filed, Aug. 20, 1968;
8:46 a.m.]

Office of Foreign Direct Investments FOREIGN DIRECT INVESTMENT REGULATIONS

Notice of Quarterly Report

The Office of Foreign Direct Investments announced the issuance, on August 19, 1968, of revised Form FDI-102 (including supplements 1 through 6), the Quarterly Report. The principal revisions are contained in the General Instructions and the Instructions to Supplements 3A and 3B (which relate to foreign borrowings). Paragraph D of the revised General Instructions provides a new exemption from the quarterly reporting requirements of the Foreign Direct Investment Regulations (15 CFR Part 1000). Notwithstanding the exemption, a reporter which is exempt from the current reporting requirement must claim the exemption by filing one signed and dated copy of Form FDI-102 with the "Exempt" box checked within 45 days of the close of the calendar quarter (or by September 20, 1968, for the second quarter of 1968), and must indicate his best estimate of direct investment (whether positive or negative) in all Scheduled Areas (excluding Canada) during the

current year. Failure to claim this exemption from quarterly reporting requirements by filing in a timely manner may forfeit the exemption. All direct investors which are required to file reports on revised Form FDI-102 for the second quarter of 1968 must do so on or before September 20, 1968. Reports for the third quarter of 1968 are due on November 14, 1968.

Completed reports are to be filed with the Program Reports Division, Office of Foreign Direct Investments, U.S. Department of Commerce, Washington, D.C. 20230.

Three sets of revised Form FDI-102, supplements and related instructions are being mailed to those direct investors which filed Form FDI-101, the Base Period Report. In addition, revised Form FDI-102 may be obtained in Room 1706, U.S. Department of Commerce Building, Washington, D.C., or from any of the 42 U.S. Department of Commerce Field Offices.

CHARLES E. FIERO,
Director, Office of
Foreign Direct Investments.

AUGUST 19, 1968.

[F.R. Doc. 68-10166; Filed, Aug. 20, 1968;
11:32 a.m.]

DEPARTMENT OF HEALTH, EDU- CATION, AND WELFARE

Food and Drug Administration

A. E. STALEY MANUFACTURING CO.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 9A2319) has been filed by A. E. Staley Manufacturing Co., 2200 East Eldorado Street, Decatur, Ill. 62525, proposing that § 121.1031 *Food starch-modified* (21 CFR 121.1031) be amended to provide for the safe use of a food starch modified by etherification treatment with epichlorohydrin and propylene oxide such that the finished modified starch contains not more than 0.1 percent by weight of epichlorohydrin and not more than 10 percent by weight of propylene oxide.

Dated: August 12, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-10074; Filed, Aug. 20, 1968;
8:52 a.m.]

BAKER CASTOR OIL CO.

Notice of Withdrawal of Petition for Food Additive Detoxified Castor Seed Meal

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act

(sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), The Baker Castor Oil Co., 40 Avenue A, Bayonne, N.J. 07002, has withdrawn its petition, notice of which was published in the FEDERAL REGISTER of March 6, 1968 (33 F.R. 4223), proposing the issuance of a food additive regulation to provide for the safe use of detoxified castor seed meal as a protein supplement in ruminant feed in an amount not to exceed 15 percent of the total ration.

Dated: August 12, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-10075; Filed, Aug. 20, 1968;
8:52 a.m.]

DIAMOND SHAMROCK CORP.

Notice of Filing of Petition Regarding Pesticide Chemicals

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 9F0743) has been filed by Diamond Shamrock Corp., 300 Union Commerce Building, Cleveland, Ohio 44115, proposing the establishment of a tolerance of 0.1 part per million for the combined negligible residues of the fungicide 2,4,5,6-tetrachloroisophthalonitrile and its metabolite 4-hydroxy-2,5,6-trichloroisophthalonitrile in or on the raw agricultural commodity potatoes.

The analytical method proposed for determining residues of the fungicide and its metabolite consists of simultaneous extraction of both compounds with acidified acetone solution, separation of the fungicide from the metabolite by column chromatography, and conversion of the metabolite to the methyl ether by reacting with diazomethane. Analysis of the parent compound and the ether derivative of the metabolite is by a gas chromatographic technique with a microcoulometric or electron-capture detection system.

Dated: August 12, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-10076; Filed, Aug. 20, 1968;
8:52 a.m.]

USM CHEMICAL CO.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 8R2260) has been filed by USM Chemical Co., division of United Shoe Machinery Corp., Middleton, Mass. 01949, proposing the issuance of a food

additive regulation (21 CFR Part 121, Subpart F) to provide for the safe use of phthalocyanine blue and benzidine orange pigments as colorants for food-packaging adhesives.

Dated: August 12, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-10077; Filed, Aug. 20, 1968;
8:52 a.m.]

DEPARTMENT OF TRANSPORTATION

Hazardous Materials Regulations Board

[Docket No. HM-7; Notice No. 68-5]

TRANSPORTATION OF HAZARDOUS MATERIALS

Notice of Plan To Revise Regulations

The Hazardous Materials Regulations Board plans to revise the regulations governing the transportation of hazardous materials, casting the regulations in general terms and eliminating much of the detail. This notice states the reasons for the revision and requests public comment on the general principles which the Board proposes to follow.

Background. The regulations reflect a commodity-by-commodity and package-by-package approach. As a result, the regulations focus on commodities instead of hazards. For example, (i) the present classification of hazards does not identify spontaneous combustion and (ii) excepting class A poisons and radioactive materials, only one classification (the greatest hazard) may be identified, even though the material may present more than one serious hazard. As another result, the packaging regulations are repetitious how-to-do-it instructions, rather than general performance standards. For example, Part 178—Shipping Container Specifications consists almost entirely of specifications and tests for individual packages already developed; it does not set standards for the development of new packages. Recent regulatory actions have sought to synthesize the specifics, but the bulk of the regulations still deal in detail.

Different authorities developed the safety regulations for the air, land, and water modes of transportation. As a result, the hazardous materials regulations differ in many particulars between the modes; some differences are of form, others of substance. The differences impose burdens on shippers and carriers in intermodal shipments. One of the functions of the Board is to make the regulations uniform, to the extent that uniformity is consistent with the differences inherent in the modes.

Scope. The Board plans to issue notices of proposed rule making in at least these areas:

Classification and labels.
Handling and stowing.
Placards and Emergency Procedures.
Packages.

The Board's initial emphasis will be on intermodal shipments of packaged materials, but the classification, placards, and emergency procedures notices will also cover shipments by portable tank, tank car, and tank truck. The Board does not have jurisdiction over bulk shipments of hazardous materials by water under Title 46—Shipping.

Uniformity. The regulations should be uniform for all modes of transportation, differing only where the inherent characteristics of an individual mode require a difference. The regulations should be consistent with international standards, differing only where our national needs require a difference.

Simplicity. The regulations should serve a practical safety purpose. They should be written so that those who handle the materials can understand and apply them. Throughout the regulations there will be a compromise between the complexity required to cover all contingencies and the simplicity required by human limitations.

Classifications and labels. Classifications should be based on the hazards involved in transporting the materials. Each classification should group together materials which require similar packaging and handling during transportation, or handling after an accident. Materials which pose a similar threat to safety should be classed together, without regard to historic classifications.

Labels should reflect the classifications. Labels should (i) give notice of the hazard potential of the material in the package and (ii) call attention to the need for special handling and stowing.

Handling and stowing. Instructions for in-transit handling should be on the label and should be written so that all persons involved can understand and apply them. One way of doing this might be to have a simple color-coded scheme for separating incompatible materials. Since many thousands of people, of varying levels of competence and training, are involved in in-transit handling, there will be some difficulty in finding the proper balance between flexibility (which increases complexity) and simplicity.

Placards and emergency procedures. Placards required to be posted on portable tanks, tank cars, tank motor vehicles, transport vehicles, and containers should parallel the label requirement. Placards should (i) give notice of the hazard potential of the material being transported, (ii) call attention to the need for special treatment by the carrier, and (iii) give notice of the need for special care after an accident. Since many thousands of people (cargo handlers, longshoremen, policemen, firemen, ambulance attendants) are concerned with handling emergencies involving hazardous materials, some means should be devised for giving these persons instructions on handling these emergencies. This could be done by putting code numbers

on the placards and distributing booklets with emergency instructions keyed to the placard code numbers.

Packaging. Packaging requirements should relate to the classifications, the quantity of material involved, and the transport environment. Packaging requirements should be stated in terms of performance standards, rather than manufacturing specifications. The regulations should prescribe tests to determine whether the packages meet the requirements.

Cost/benefit. Each safety requirement should be subject to a cost/benefit analysis in which (i) cost is the direct cost of buying and maintaining special equipment and the indirect cost of special handling and stowing and (ii) benefit is the decrease in the hazard to the public. The public is endangered by the transportation of many materials, such as fertilizers and pesticides for agriculture, chemicals for industry, and explosives for the military. Despite the danger, the national interest requires the transportation of these materials. The regulations should minimize the hazard to the public, within the limits of economic feasibility.

Interested persons are invited to participate in developing these basic regulatory principles to guide the Board in revising the regulations. Comments (identifying the docket or notice number) should be submitted in duplicate to the Secretary, Hazardous Materials Regulations Board, Department of Transportation, 400 Sixth Street SW., Washington, D.C. 20590.

Comments received before October 15, 1968, will be considered by the Board as it proceeds with the phased implementation of the proposed revision. The principles proposed in this notice may be changed in the light of comments received. All comments will be available for examination by interested persons at the Office of the Secretary, Hazardous Materials Regulations Board, both before and after the closing date for comments.

Issued in Washington, D.C., on August 16, 1968.

WILLIAM C. JENNINGS,
Chairman, Hazardous Materials
Regulations Board.

[F.R. Doc. 68-10078; Filed, Aug. 20, 1968;
8:52 a.m.]

ATOMIC ENERGY COMMISSION

[Docket Nos. 50-324, 50-325]

CAROLINA POWER & LIGHT CO.

Notice of Receipt of Application for Construction Permits and Facility Licenses

Carolina Power & Light Co., 336 Fayetteville Street, Raleigh, N.C. 27602, pursuant to section 104(b) of the Atomic Energy Act of 1954, as amended, has filed an application dated July 26, 1968, for authorization to construct and operate two single cycle, forced circulation,

boiling water nuclear reactors on the applicant's site of approximately 1,200 acres located on the west shore of the Cape Fear River about 2½ miles north of Southport, Brunswick County, N.C.

The proposed nuclear reactors, designated by the applicant as the Brunswick Steam Electric Plant Units 1 and 2, are each designed for initial operation at approximately 2,436 megawatts (thermal) with a net electrical output of approximately 821 megawatts per unit.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 14th day of August 1968.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,
Division of Reactor Licensing.

[F.R. Doc. 68-10015; Filed, Aug. 20, 1968;
8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 19797; Order 68-8-69]

JET AIR FREIGHT

Order Instituting Investigation Regarding Substitution of Other Service for Air Transportation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 15th day of August 1968.

By tariff revisions filed July 5 and marked to become effective August 25, 1968, Jet Transportation, Inc., doing business as Jet Air Freight (Jet), an air freight forwarder, proposes a rule providing for the substitution of other means of transportation for air transportation under any circumstances deemed necessary by the forwarder.¹

Jet does not provide any justification for its proposal. By Order E-26605, dated April 2, 1968, the Board instituted an investigation of similar rules in effect for certain air freight forwarders (Docket 19797) on the ground that it may be unjust and inequitable to require a shipper to pay the air freight rate when he is receiving lower-rated surface transportation. By Order E-26929, dated June 17, 1968, the Board denied reconsideration of Order E-26605 and extended the foregoing investigation to the rule filed by another air freight forwarder and to the rules in effect for all the direct certificated air carriers.

Upon consideration of all relevant matters, the Board finds that Jet's proposal may be unjust or unreasonable, unjustly discriminatory, unduly preferential or prejudicial, or otherwise unlawful, and should be investigated. We shall consolidate the investigation of Jet's rule with the proceeding in Docket 19797.

¹Revisions to Jet Air Freight's Tariff C.A.B. No. 1, Rule 81.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 1002 thereof,

It is ordered, That:

1. An investigation be instituted to determine whether the provisions of Rule No. 81 on 4th revised page 15 of Jet Air Freight's tariff C.A.B. No. 1, including subsequent revisions and reissues thereof, and rules, regulations, and practices affecting such provisions, are or will be unjust or unreasonable, unjustly discriminatory, unduly preferential, or unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful provisions, and rules, regulations, or practices affecting such provisions;

2. This investigation be consolidated with the proceeding in Docket 19797; and

3. A copy of this order be served upon Jet Transportation, Inc., doing business as Jet Air Freight, which is hereby made a party to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68-9939; Filed, Aug. 20, 1968;
8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Supp. 10]

VHF TELEVISION BROADCAST STATIONS UNDER THE CANADIAN-UNITED STATES OF AMERICA TELEVISION AGREEMENT OF 1952

Amendment of Table A of the 1961 Working Arrangement

AUGUST 16, 1968.

Pursuant to an exchange of correspondence between the Department of Transport of Canada and the Federal Communications Commission, Table A, Annex 1 of the Television Working Arrangement under the Canadian-United States America Television Agreement has been amended as follows:

City	Channel Number—Add
Watson Lake, Yukon Territory----	8+
Inuvik, Northwest Territory-----	6
Whitehorse, Yukon Territory-----	6
Marquette, Quebec-----	*4 (L)

*Limitation to protect CBOT, Ottawa, Ontario, and CFCM, Quebec, Quebec.

Further amendments to Table A will be issued in the form of numbered supplements.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-10061; Filed, Aug. 20, 1968;
8:57 a.m.]

[FCC 68-831]

PROGRAM LOG ANALYSIS Composite Week

AUGUST 16, 1968.

The following dates will constitute the composite week for use in the preparation of program log analyses submitted with applications for AM, FM, and TV station licenses which have termination dates in 1969.

Sunday, January 28, 1968.
Monday, July 22, 1968.
Tuesday, September 12, 1967.
Wednesday, May 8, 1968.
Thursday, November 16, 1967.
Friday, April 19, 1968.
Saturday, February 17, 1968.

Action by the Commission August 14, 1968. Commissioners Hyde (Chairman), Bartley, Lee, Wadsworth, and Johnson.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-10062; Filed, Aug. 20, 1968;
8:57 a.m.]

FEDERAL MARITIME COMMISSION

[Commission Order 1 (Rev.), Amdt. 2]

MANAGING DIRECTOR Delegation of Authority

In Commission Order 1 (Revised), section 7, Specific Authorities Delegated to the Managing Director, is hereby amended in subsection 7.07 to read as follows:

Authority to approve, pursuant to section 15, Shipping Act, 1916, unopposed modifications to terminal conference agreements and unopposed terminal leases, licenses, assignments, or other agreements of a similar character for the use of terminal property or facilities between persons subject to the Shipping Act, 1916.

JOHN HARLEE,
Rear Admiral, U.S. Navy (Retired)
Chairman.

[F.R. Doc. 68-9940; Filed, Aug. 20, 1968;
8:45 a.m.]

PIONEER ALASKA LINE AND ALASKA STEAMSHIP CO.

Notice of Agreement Filed for Approval; Correction

In F.R. Doc. 68-8881 appearing at page 10594 of the issue for Thursday, July 25, 1968, the paragraph reading as follows should be deleted in its entirety.

"Under the proposed amendment KLTI will pay the first \$100,000 or 75 percent thereof from its annual net profit to ASSCO in order to amortize a loan at 6 percent per annum in an amount equivalent to the direct cost incurred by ASSCO in outfitting the Polar Pioneer."

In lieu thereof, insert:

"The proposed amendment provides that from the annual 'net profit' of KLTI, the first \$100,000 or 75 percent thereof, whichever is greater, shall be paid to ASSCO in order to amortize a loan at 6 percent per annum in an amount equivalent to the direct cost incurred by ASSCO in outfitting the Polar Pioneer."

Comments with reference to the agreement as amended, including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 7 days after publication of this notice in the FEDERAL REGISTER.

Dated: August 15, 1968

THOMAS LISI,
Secretary.

[F.R. Doc. 68-10043; Filed, Aug. 20, 1968;
8:50 a.m.]

REDERIKTIEBOLAGET DISA ET AL.

Notice of Proposed Cancellation of Agreement

Notice is hereby given that a request for cancellation of the following Agreement, pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814) has been filed with the Commission.

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Rederiktiebolaget Disa, Rederiktiebolaget Poseidon and Jade Company, Inc.:

Notice of Intent To Cancel Agreement No. 7592-4 filed by:

Mr. Thomas K. Roche, Haight, Gardner, Poor & Havens, 80 Broad Street, New York, N.Y. 10004.

Agreement No. 7592-5, between Rederiktiebolaget Disa, Rederiktiebolaget Poseidon and Jade Company, Inc., provides for the cancellation of their joint service which operates under the trade name of "Brodin Line" between Canadian and United States Atlantic and Great Lakes ports and United States Gulf ports (but not including transportation within the purview of the Coastwise Laws of the United States) on the one hand, and the ports of Argentina, Paraguay, Uruguay, and Brazil on the other hand.

Dated: August 16, 1968.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 68-10044; Filed, Aug. 20, 1968;
8:50 a.m.]

FEDERAL RESERVE SYSTEM FIDELITY BANK

Order Approving Merger of Banks

In the matter of the application of the Fidelity Bank for approval of merger with Doylestown Trust Co.

There has come before the Board of Governors, pursuant to the Bank Merger Act (12 U.S.C. 1828(c)), an application by the Fidelity Bank, Philadelphia, Pa., a State member bank of the Federal Reserve System, for the Board's prior approval of the merger of that bank and Doylestown Trust Co., Doylestown, Pa., under the charter and title of the Fidelity Bank. As an incident to the merger, the sole office of Doylestown Trust Co. would become a branch of the resulting bank. Notice of the proposed merger, in form approved by the Board, has been published pursuant to said Act.

Upon consideration of all relevant material in the light of the factors set forth in said Act, including reports furnished by the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Attorney General on the competitive factors involved in the proposed merger, and the information received at and in connection with the public proceeding which was ordered in this matter (33 F.R. 8367) pursuant to the Board's Rules of Procedure (12 CFR 262.3(f)(3)).

It is hereby ordered, For the reasons set forth in the Board's statement¹ of this date, that said application be and hereby is approved, provided that said merger shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order.

Dated at Washington, D.C., this 12th day of August 1968.

By order of the Board of Governors.²

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 68-9995; Filed, Aug. 20, 1968;
8:45 a.m.]

¹ Filed as part of F.R. Doc. 68-9996, infra. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Philadelphia. Concurring statement of Governor Brimmer and dissenting statement of Governor Robertson also filed as part of the original document and available upon request.

² Voting for this action: Chairman Martin and Governors Mitchell, Daane, Maisel, Brimmer, and Sherrill. Voting against this action: Governor Robertson.

GIRARD TRUST BANK

Order Approving Merger of Banks

In the matter of the application of Girard Trust Bank for approval of merger with the Doylestown National Bank & Trust Co.

There has come before the Board of Governors, pursuant to the Bank Merger Act (12 U.S.C. 1828(c)), an application by Girard Trust Bank, Philadelphia, Pa., a State member bank of the Federal Reserve System, for the Board's prior approval of the merger of that bank and the Doylestown National Bank & Trust Co., Doylestown, Pa., under the charter and title of Girard Trust Bank. As an incident to the merger, the five offices of the Doylestown National Bank & Trust Co. would become branches of the resulting bank. Notice of the proposed merger, in form approved by the Board, has been published pursuant to said Act.

Upon consideration of all relevant material in the light of the factors set forth in said Act, including reports furnished by the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Attorney General on the competitive factors involved in the proposed merger, and the information received at and in connection with the public proceeding which was ordered in this matter (33 F.R. 8367) pursuant to the Board's Rules of Procedure (12 CFR 262.3(f)(3)).

It is hereby ordered, For the reasons set forth in the Board's statement¹ of this date, that said application be and hereby is approved, provided that said merger shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order.

Dated at Washington, D.C., this 12th day of August 1968.

By order of the Board of Governors.²

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 68-9996; Filed, Aug. 20, 1968;
8:46 a.m.]

¹ Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Philadelphia. Concurring statement of Governor Brimmer and dissenting statement of Governor Robertson also filed as part of the original document and available upon request.

² Voting for this action: Chairman Martin and Governors Mitchell, Daane, Maisel, Brimmer, and Sherrill. Voting against this action: Governor Robertson.

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILES PRO- DUCED OR MANUFACTURED IN MEXICO

Entry and Withdrawal From Ware- house for Consumption

AUGUST 16, 1968.

On June 2, 1967, the U.S. Government, in furtherance of the objectives of, and under the terms of, the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, concluded a comprehensive bilateral cotton textile agreement with the Government of Mexico concerning exports of cotton textiles and cotton textile products from Mexico to the United States over a 4-year period beginning May 1, 1967. Among the provisions of the agreement are those which permit the Government of Mexico within the aggregate limit for any agreement year, to exceed the limit for Group II by not more than 10 percent, and to exceed any specific category limit by not more than 5 percent. The Government of Mexico has informed the U.S. Government of its decision to exercise this provision, for the agreement year which began on May 1, 1967 and extended through April 30, 1968, with respect to cotton textiles in Group II and in categories 9 and 27 within that group. In addition, the Government of Mexico has informed the U.S. Government of its decision to exercise this provision, for the agreement year which began on May 1, 1968 and extends through April 30, 1969, with respect to cotton textiles in Group II.

Accordingly, there is published below a letter of August 15, 1968 from the Chairman of the President's Cabinet Textile Advisory Committee, to the Commissioner of Customs, implementing the above decisions by further amending the directives of June 13, 1967 and April 30, 1968.

STANLEY NEHMER,
Chairman, Interagency Textile
Administrative Committee,
and Deputy Assistant Secretary
for Resources.

THE SECRETARY OF COMMERCE
PRESIDENT'S CABINET TEXTILE ADVISORY
COMMITTEE

WASHINGTON, D.C. 20230,

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226,

August 15, 1968.

DEAR MR. COMMISSIONER: This directive further amends but does not cancel the directives issued to you on June 13, 1967, and April 30, 1968, from the Chairman of the President's Cabinet Textile Advisory Committee, establishing levels for the entry into the United States for consumption, and withdrawal from warehouse for consumption, of cotton textiles and cotton textile products produced or manufactured in Mexico.

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on Febru-

ary 9, 1962, pursuant to the bilateral cotton textile agreement of June 2, 1967, between the Governments of the United States and Mexico, and in accordance with Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, the overall level of restraint provided in the directive of June 13, 1967, as amended, for entry into the United States for consumption or withdrawal from warehouse for consumption, of cotton textiles in Categories 5 through 27, produced or manufactured in Mexico, for the period beginning May 1, 1967, and extending through April 30, 1968, is hereby increased from 21 million square yards, to 23,100,000 square yards, to be effective as soon as possible. Within this overall level of restraint for Categories 5 through 27, for the period May 1, 1967 through April 30, 1968, the following increased specific levels of restraint shall apply:

Category	12-month level of restraint (square yards)
9	5,250,000
27	2,100,000

The levels set forth in the directive of June 13, 1967, as amended hereby, have not been adjusted to reflect entries or withdrawals from warehouse made on or after May 1, 1967.

In addition, and by virtue of the above authority, the overall level of restraint provided in the directive of April 30, 1968, as amended, for entry into the United States for consumption or withdrawal from warehouse for consumption, of cotton textiles in Categories 5 through 27, produced or manufactured in Mexico, for the period beginning May 1, 1968 and extending through April 30, 1969, is hereby increased from 22,050,000 square yards to 24,255,000 square yards, to be effective as soon as possible.

The level set forth in the directive of April 30, 1968, as amended hereby, have not been adjusted to reflect entries or withdrawals from warehouse made on or after May 1, 1968.

The actions taken with respect to the Government of Mexico and with respect to imports of cotton textiles and cotton textile products from Mexico have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553 (Supp. II, 1965-66). This letter will be published in the FEDERAL REGISTER.

Sincerely yours,

C. R. SMITH,
Secretary of Commerce, Chairman,
President's Cabinet Textile Ad-
visory Committee.

[F.R. Doc. 68-10036; Filed, Aug. 20, 1968;
8:49 a.m.]

CERTAIN COTTON TEXTILE PRO- DUCTS PRODUCED OR MANUFAC- TURED IN THE SOCIALIST REPUBLIC OF ROMANIA

Entry and Withdrawal From Ware- house for Consumption

AUGUST 16, 1968.

On August 13, 1968, the U.S. Government, in furtherance of the objectives of, and under the terms of, the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article

6(c) thereof relating to nonparticipants, informed the Socialist Republic of Romania that it was renewing for an additional 12-month period beginning August 14, 1968, and extending through August 13, 1969, the restraint on imports into the United States of cotton textile products in Category 34, produced or manufactured in Romania. Pursuant to Annex B, paragraph 2, of the Long-Term Arrangement the level of restraint for this 12-month period is 5 percent greater than the level of restraint applicable to Category 34 for the preceding 12-month period.

There is published below a letter of August 15, 1968, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, directing that the amount of cotton textile products in Category 34, produced or manufactured in Romania, which may be entered or withdrawn from warehouse for consumption in the United States for the 12-month period beginning August 14, 1968, be limited to the designated level.

STANLEY NEHMER,
Chairman, Interagency Textile
Administrative Committee,
and Deputy Assistant Secretary
for Resources.

THE SECRETARY OF COMMERCE
PRESIDENT'S CABINET TEXTILE ADVISORY
COMMITTEE

WASHINGTON, D.C. 20230,
August 15, 1968.

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226.

DEAR MR. COMMISSIONER: Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective as soon as possible, and for the 12-month period beginning August 14, 1968, and extending through August 13, 1969, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Category 34, produced or manufactured in Romania, in excess of a level of restraint for the period of 147,000 pieces.

In carrying out this directive, entries of cotton textile products in Category 34, produced or manufactured in Romania, which have been exported to the United States from Romania prior to August 14, 1968, shall, to the extent of any unfilled balance be charged against the level of restraint established for such goods during the period August 14, 1967, through August 13, 1968. In the event that the level of restraint established for such goods for that period has been exhausted by previous entries, such goods shall be subject to the directives set forth in this letter.

A detailed description of Category 34 in terms of T.S.U.A. numbers was published in the FEDERAL REGISTER on January 17, 1968 (33 F.R. 582), and amendments thereto on March 15, 1968 (33 F.R. 4600).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Socialist Republic of Romania

and with respect to imports of cotton textiles and cotton textile products from Romania have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553 (Supp. II, 1965-66). This letter will be published in the FEDERAL REGISTER.

Sincerely yours,

C. R. SMITH,
Secretary of Commerce, Chairman,
President's Cabinet, Textile Advisory Committee.

[F.R. Doc. 68-10037; Filed, Aug. 20, 1968;
8:49 a.m.]

SECURITIES AND EXCHANGE COMMISSION

PARAMOUNT GENERAL CORP.

Order Suspending Trading

AUGUST 15, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Paramount General Corp., Los Angeles, Calif., and all other securities of Paramount General Corp., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period August 16, 1968, through August 25, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 68-10025; Filed, Aug. 20, 1968;
8:48 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30—
Des Moines, Iowa Disaster I]

MANAGER OF DISASTER BRANCH OFFICE, WATERLOO, IOWA

Delegations Relating to Financial Assistance Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 2), 33 F.R. 9851 there is hereby redelegated to the Manager of Waterloo Disaster Branch Office the following authority:

A. *Financial assistance.* 1. To approve and decline disaster loans in an amount not exceeding \$350,000.

2. To execute loan authorizations for Washington, area and regional office ap-

proved loans and disaster loans approved under delegated authority, said execution to read as follows:

ROBERT C. MOOT, Administrator,
By _____ Manager,
Disaster Branch Office.

3. To cancel, reinstate, modify and amend authorizations for disaster loans approved under delegated authority.

4. To disburse disaster loans.

5. To extend the disbursement period on disaster loan authorizations or undisbursed portions of disaster loans.

II. The authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by an SBA employee designated as acting manager of the disaster branch office.

Effective date: July 23, 1968.

CONRAD E. LAWLOR,
Regional Director,
Des Moines, Iowa.

[F.R. Doc. 68-10013; Filed, Aug. 20, 1968;
8:47 a.m.]

[Declaration of Disaster Loan Area 682]

NEW MEXICO

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of July 1968, because of the effects of certain disasters, damage resulted to residences and business property located in the county of Bernalillo, in the State of New Mexico;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Acting Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b) (1) of the Small Business Act, as amended, may be received and considered by the Office below indicated from persons or firms whose property, situated in the aforesaid county, and areas adjacent thereto, suffered damage or destruction resulting from floods occurring on July 3, 1968.

OFFICE

Small Business Administration Regional Office, 500 Gold Avenue SW., Albuquerque, N. Mex. 87101.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to February 28, 1969.

Dated: August 14, 1968.

HOWARD GREENBERG,
Acting Administrator.

[F.R. Doc. 68-10014; Filed, Aug. 20, 1968;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[S.O. 994; ICC Order 11, Amdt. 1]

NEW YORK, NEW HAVEN AND HARTFORD RAILROAD CO.

Rerouting or Diversion of Traffic

Upon further consideration of ICC Order No. 11 (New York, New Haven and Hartford Railroad Co.) and good cause appearing therefor:

It is ordered, That:

ICC Order No. 11 be, and it is hereby amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p.m., December 31, 1968, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., August 31, 1968, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., August 16, 1968.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL]

[F.R. Doc. 68-10045; Filed, Aug. 20, 1968;
8:50 a.m.]

[Section 5a Application No. 83, Amdt. 2]

ALASKA CARRIERS ASSOCIATION, INC.

Petition for Approval of Agreement

AUGUST 13, 1968.

The Commission is in receipt of a petition in the above-entitled proceeding for approval of amendments to the agreement therein approved.

Filed July 22, 1968, by Edward R. Sanders, attorney in fact, 327 Barrow Street, Anchorage, Alaska 99501.

The amendments involve: Substantial changes in the agreement necessitated by changes in the bylaws, revision of the articles of incorporation and expanded activities.

The petition is docketed and may be inspected at the office of the Commission in Washington, D.C.

Any interested person desiring to protest and participate in this proceeding shall notify the Commission in writing within 20 days from the date of this notice. As provided by the General Rules of Practice of the Commission, persons other than applicants should fully disclose their interest, and the position they intend to take with respect to the petition. Otherwise, the Commission, in its discretion, may proceed to investigate

and determine the matters involved without public hearing.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-10046; Filed, Aug. 20, 1968;
8:50 a.m.]

[Section 5a Application No. 46, Amdt. 7]

SOUTHERN MOTOR CARRIERS RATE CONFERENCE, INC.

Petition for Approval of Agreement

AUGUST 16, 1968.

The Commission is in receipt of a petition in the above-entitled proceeding for approval of amendments to the agreement therein approved.

Filed August 5, 1968, by Guy H. Postell, attorney, 1273 West Peachtree Street NE., Atlanta, Ga. 30309.

The amendments involved: Changes in the agreement so as to (1) substitute new individuals as agent and attorney in fact for carrier parties; (2) provide for the Conference as the publishing agent of south-southwest interterritorial tariffs and eliminate joint agency publication; (3) provide that all east-south tariffs participants, including Conference members, execute a rate and tariff agreement thereto; (4) eliminate the Province of Quebec, Canada, from the jurisdiction of the East-South interterritorial committee; (5) establish a new South-Quebec interterritorial committee and rate-making provisions thereto, jointly with member carriers of Niagara Frontier Tariff Bureau, Inc., with jurisdiction between southern territory and the Province of Quebec, Canada; and (6) make other incidental changes as are necessary to accomplish the foregoing.

The petition is docketed and may be inspected at the office of the Commission in Washington, D.C.

Any interested person desiring to protest and participate in this proceeding shall notify the Commission in writing within 20 days from the date of this notice. As provided by the General Rules of Practice of the Commission, persons other than applicants should fully disclose their interest, and the position they intend to take with respect to the petition. Otherwise, the Commission, in its discretion, may proceed to investigate and determine the matters involved without public hearing.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-10047; Filed, Aug. 20, 1968;
8:50 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

AUGUST 16, 1968.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 41417—*Asphalt from Sinclair, Wyo., and Salt Lake City, Utah*. Filed by Union Pacific Railroad Co. (No. 134), for itself and on behalf of interested rail carriers. Rates on asphalt, in tank carloads, from Sinclair, Wyo., and Salt Lake City, Utah, to specified points in Idaho.

Grounds for relief—Market competition.

Tariff—Supplement 40 to Union Pacific Railroad Co., tariff ICC 5613.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-10048, Filed, Aug. 20, 1968;
8:50 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

AUGUST 16, 1968.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a) (6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. M-4750, filed July 31, 1968. Applicant: A. L. Wells, doing business as WELLS BUS LINE, 159 Main Street, Batesville, Ark. 72501. Applicant's representative: John Purtle, Barnett Building, Batesville, Ark. 72501. Certificate of public convenience and necessity sought to operate a passenger service as follows: Transportation of passengers, express mail, newspapers, baggage of passengers all in the same vehicle, from Mount Home, Ark., to Calico Rock, Ark., via State Highway 5, Calico Rock, Ark., to Brockwell, Ark., via State Highway 56; Brockwell, Ark., to Batesville, Ark., via State Highway 9 and 69; Hardy, Ark., to Junction 167 1 mile north of Ash Flat, Ark., via U.S. Highway 62; Junction 167 1 mile north of Ash Flat, Ark., to Bald Knob, via U.S. Highways 167 and 67; Bald Knob, Ark., to Little Rock, Ark., via U.S. Highways 67 and 167 serving all intermediate points except no passengers, express, mail, newspapers, baggage will be handled that originates in Bald Knob, Ark., to Little Rock or points beyond or intermediate points between Bald Knob, Ark., and Little Rock or between Little Rock and Bald Knob;

Newark, Ark., to Batesville, Ark., via State Highway 14; Batesville, Ark., to Junction U.S. Highway 65 2 miles north of Greenbrier, Ark., via State Highways 14 and 25; Junction U.S. 65 2 miles north of Greenbrier, Ark., to Conway, Ark., via U.S. Highway 65; Conway, Ark., to Little Rock, Ark., via U.S. Highway 64 and/or Interstate Highway 40, serving all intermediate points except no passengers or express that originates in Conway, Ark., for Little Rock or Little Rock to Conway or intermediate points will be handled. Charter rights are asked for from any point applicant has operating rights. Both intrastate and interstate authority sought.

HEARING: Thursday, October 10, 1968, at 1 p.m., Justice Building, Arkansas Commerce Commission, Little Rock, Ark. 72201. Requests for procedural information including the time for filing protests concerning this application should be addressed to the Arkansas Commerce Commission, Justice Building, Little Rock, Ark. 72201, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-10049; Filed, Aug. 20, 1968;
8:50 a.m.]

[Notice 512]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

AUGUST 16, 1968.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1(c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 35320 (Deviation No. 16), T.I.M.E. FREIGHT, INC., Post Office Box 2550, Lubbock, Tex. 79408, filed August 5, 1968. Carrier's representative: John T. Coon, same address as applicant. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a

deviation route as follows: From junction Interstate Highway 55 and U.S. Highway 70 near West Memphis, Ark., over Interstate Highway 55 (as completed) to St. Louis, Mo., and approaches and departures thereto, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From St. Louis, Mo., across the Mississippi River to East St. Louis, Ill., thence over Illinois Highway 13 to Belleville, Ill., thence over Illinois Highway 159 to Red Bud, Ill., thence over Illinois Highway 3 to Ware, Ill., thence over Illinois Highway 146 to Vienna, Ill., thence over U.S. Highway 45 to Mayfield, Ky., thence over Kentucky Highway 97 to the Kentucky-Tennessee State line, thence over Tennessee Highway 69 to Paris, Tenn., thence over U.S. Highway 79 to McKenzie, Tenn., thence over Tennessee Highway 22 to Lexington, Tenn., thence over Tennessee Highway 20 to Parsons, Tenn., thence over Tennessee Highway 69 to Decaturville, Tenn., (2) from St. Louis to Ware, Ill., as specified above, thence over Illinois Highway 3 to Cairo, Ill., thence over U.S. Highway 51 to junction Kentucky Highway 94, (3) from junction U.S. Highway 51 and Kentucky Highway 94 over U.S. Highway 51 to Fulton, Ky., thence over U.S. Highway 45E to junction U.S. Highway 45, thence over U.S. Highway 45 to Jackson, Tenn., (4) from Fulton, Ky., over U.S. Highway 51 to Union City, Tenn., (5) from junction U.S. Highways 45 and 45W over U.S. Highway 45W to Union City, Tenn., thence over Tennessee Highway 5 to the Tennessee-Kentucky State line, thence over Kentucky Highway 125 to Hickman, Ky., thence over Kentucky Highway 94 to junction U.S. Highway 51, (6) from Brownsville, Tenn., over U.S. Highway 79 to Paris, Tenn., thence over Tennessee Highway 54 to Dresden, Tenn., thence over Tennessee Highway 22 to Union City, Tenn., (7) from Memphis, Tenn., over U.S. Highway 70 to Jackson, Tenn., and (8) from Memphis, Tenn., over U.S. Highway 70 to Little Rock, Ark., and return over the same routes.

No. MC 106943 (Deviation No. 25), EASTERN EXPRESS, INC., 1450 Wabash Avenue, Terre Haute, Ind. 47808, filed August 7, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Boston, Mass., over Interstate Highway 90 to junction Interstate Highway 84, at or near Sturbridge, Mass., thence over Interstate Highway 84 to junction Interstate Highway 81 at or near Scranton, Pa., thence over Interstate Highway 81 to junction U.S. Highway 50 at or near Winchester, Va., thence over U.S. Highway 50 to junction Interstate Highway 79 at or near Bridgeport, W. Va., thence over Interstate Highway 79 to junction Interstate Highway 64 at or near Charleston, W. Va., thence over Interstate Highway 64 to St. Louis, Mo., and return over the same route, for operating convenience only. The notice indi-

cates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From St. Louis, Mo., over U.S. Highway 50 to Cincinnati, Ohio, thence over U.S. Highway 42 to Lafayette, Ohio, thence over U.S. Highway 40 via Cambridge, Ohio, to Washington, Pa., thence over U.S. Highway 19 to Pittsburgh, Pa., thence over U.S. Highway 22 to Newark, N.J., thence over U.S. Highway 1 to Boston, Mass., and return over the same route.

No. MC 106943 (Deviation No. 26), EASTERN EXPRESS, INC., 1450 Wabash Avenue, Terre Haute, Ind. 47808, filed August 9, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Boston, Mass., over Interstate Highway 95 to junction Interstate Highway 278 at or near the Borough of Bronx, in New York, N.Y., thence over Interstate Highway 278 to junction Interstate Highway 95 at or near Linden, N.J., thence over Interstate Highway 95 to junction Interstate Highway 295 at or near Trenton, N.J., thence over Interstate Highway 295 to junction Interstate Highway 95 at or near Wilmington, Del., thence over Interstate Highway 95 to junction Interstate Highway 695 (Baltimore bypass), thence over Interstate Highway 695 to junction Interstate Highway 70N at or near Baltimore, Md., thence over Interstate Highway 70N to junction Interstate Highway 70 at or near Frederick, Md., thence over Interstate Highway 70 to junction Interstate Highway 81 at or near Hagerstown, Md., thence over Interstate Highway 81 to junction U.S. Highway 50 at or near Winchester, Va., thence over U.S. Highway 50 to junction Interstate Highway 79 at or near Bridgeport, W. Va., thence over Interstate Highway 79 to junction Interstate Highway 64 at or near Charleston, W. Va., thence over Interstate Highway 64 to St. Louis, Mo., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From St. Louis, Mo., over U.S. Highway 50 to Cincinnati, Ohio, thence over U.S. Highway 42 to Lafayette, Ohio, thence over U.S. Highway 40 via Cambridge, Ohio, to Washington, Pa., thence over U.S. Highway 19 to Pittsburgh, Pa., thence over U.S. Highway 22 to Newark, N.J., thence over U.S. Highway 1 to Boston, Mass., and return over the same route.

No. MC 106943 (Deviation No. 27), EASTERN EXPRESS, INC., 1450 Wabash Avenue, Terre Haute, Ind. 47808, filed August 8, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Denver, Colo., over Interstate Highway 80S to junction Interstate Highway 80, thence over Interstate Highway 80, to junction Interstate Highway 74 at or near Davenport, Iowa, thence over Interstate Highway 74 to junction Interstate Highway 70 at or

near Indianapolis, Ind., thence over Interstate Highway 70 to junction Interstate Highway 76 at or near Arnbrust, Pa., thence over Interstate Highway 76 to junction Interstate Highway 276, at or near Norristown, Pa., thence over Interstate Highway 276 to junction U.S. Highway 611, thence over U.S. Highway 611 to Horsham, Pa., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Horsham, Pa., over U.S. Highway 611 to junction Interstate Highway 276, thence over Interstate Highway 276 to junction Interstate Highway 76 (Pennsylvania Turnpike), thence over Interstate Highway 76 to Irwin, Pa., thence over U.S. Highway 30 via Pittsburgh, Pa., to Mansfield, Ohio, thence over U.S. Highway 30N to junction U.S. Highway 30 east of Delphos, Ohio, thence over U.S. Highway 30 to junction Illinois Highway 1A, thence over Illinois Highway 1A to junction U.S. Highway 6, thence over U.S. Highway 6 to junction U.S. Highway 66A, thence over U.S. Highway 66A to junction U.S. Highway 66, thence over U.S. Highway 66 to junction U.S. Highway 36 at or near Springfield, Ill., thence over U.S. Highway 36 to junction U.S. Highway 54, thence over U.S. Highway 54 to Kingdom City, Mo., thence over U.S. Highway 40 to Kansas City, Mo., thence over U.S. Highway 24 to Manhattan, Kans., thence over Kansas Highway 18 to Junction City, Kans., thence over U.S. Highway 40 via Salina, Kans., to Oakley, Kans., thence over U.S. Highway 83 to junction U.S. Highway 24, thence over U.S. Highway 24 to Limon, Colo., thence over U.S. Highway 40 to Denver, Colo., and return over the same route.

MOTOR CARRIER OF PASSENGER

No. MC 1515 (Deviation No. 464) (Cancels Deviation No. 136), GREYHOUND LINES, INC. (Eastern Division), 1400 West Third Street, Cleveland, Ohio 44113, filed August 5, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express and newspapers* in the same vehicle with passengers, over deviation routes as follows: (1) From the Indiana Turnpike at the La Porte Interchange (Interchange No. 7) over Indiana Highway 39 to the Indiana-Michigan State line, thence over Michigan Highway 239 to interchange Interstate Highway 94, thence over Interstate Highway 94 via Kalamazoo, Mich., to interchange unnumbered highway (formerly U.S. Highway 12) just southeast of Galesburg, Mich., (2) from the interchange of Interstate Highway 94 and Interstate Highway B.L. (Business Loop) 94 southwest of Battle Creek, Mich., over Interstate Highway 94 to the interchange of Interstate Highway 94 and Interstate Highway B.L. (Business Loop) 94 just east of Jackson, Mich., (3) from the Fletcher Road Interchange with Interstate Highway 94, approximately 1 mile west of Lima, Mich., over Interstate

Highway 94 to interchange of U.S. Highway 23 and Interstate Highway 94 south of Ann Arbor, Mich., (4) from New Buffalo, Mich., over U.S. Highway 12 to interchange with Interstate Highway 94, (5) from Benton Harbor, Mich., over Interstate Highway B.R. (Business Route) 94 to interchange Interstate Highway 94 approximately 3 miles east of Benton Harbor, (6) from Coloma, Mich., over Berrien County Highway 706 to interchange Interstate Highway 94, (7) from Watervliet, Mich., over Michigan Highway 140 to interchange Interstate Highway 94, (8) from Paw Paw, Mich., over Michigan Highway 40 to interchange Interstate Highway 94, (9) from Oshtemo, Mich., over Ninth Street to interchange Interstate Highway 94, (10) from Kalamazoo, Mich., over Interstate Highway B.L. (Business Loop) 94 to interchange U.S. Highway 131.

Thence over U.S. Highway 131 to interchange Interstate Highway 94, west of Kalamazoo, (11) from Kalamazoo, Mich., over Westnedge Avenue to interchange Interstate Highway 94, (12) from Kalamazoo, Mich., over Interstate Highway B.L. (Business Loop) 94 to interchange Interstate Highway 94 east of Kalamazoo, (13) from Battle Creek, Mich., over Michigan Highway 66 to interchange Interstate Highway 94, (14) from Marshall, Mich., over U.S. Highway 27 to interchange Interstate Highway 94, (15) from Marshall, Mich., over Interstate Highway B.L. (Business Loop) 94 to interchange Interstate Highway 94 east of Marshall, (16) from Albion, Mich., over Interstate Highway B.L. (Business Loop) 94 to interchange Interstate Highway 94 north of Albion, (17) from junction Spring Arbor Road and Michigan Highway 60 southwest of Jackson, Mich., over Michigan Highway 60 to interchange Interstate Highway 94, (18) from Jackson, Mich., over U.S. Highway 127 to junction Interstate Highway 94, (19) from Chelsea, Mich., over Michigan Highway 52 to interchange Interstate Highway 94, and (20) also, access and egress to Interstate Highway 94 where it junctions with regular route operations of applicant as follows: (a) The interchange of Interstate Highway B.L. 94 and Interstate Highway 94 one mile north of Stevensville, Mich., (b) the interchange of Interstate Highway B.L. 94 and Interstate Highway 94, east of Battle Creek, Mich., and (c) the interchange of Michigan Highway 99 and Interstate Highway 94 east of Albion, Mich., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows:

From Chicago, Ill., over U.S. Highway 12 via Michigan City, Ind., to New Buffalo, Mich., thence over Red Arrow Highway (formerly U.S. Highway 12) to junction Interstate Highway B.R. (Business Route) 94, just north of Stevensville, Mich., thence over Interstate Highway B.R. (Business Route) 94 through St. Joseph and Benton Harbor to junction Red Arrow Highway, thence over

Red Arrow Highway (formerly U.S. Highway 12) to Coloma, Mich., thence over unnumbered highway (formerly U.S. Highway 12) via Hartford, Lawrence, and Paw Paw to junction Interstate Highway B.L. (Business Loop) 94 at the junction of U.S. Highway 131, thence over Interstate Highway B.L. (Business Loop) 94 through Kalamazoo, Mich., to junction Michigan Highway 96, thence over Michigan Highway 96 to Galesburg, Mich., thence over unnumbered highway to interchange with Interstate Highway 94, thence over Interstate Highway 94 to interchange with Interstate Highway B.L. (Business Loop) 94, just west of Battle Creek, thence over Interstate Highway B.L. (Business Loop) 94 through Battle Creek to junction Interstate Highway 94, thence over unnumbered highway to Marshall, thence over Interstate Highway B.L. (Business Loop) 94 to junction unnumbered highway east of Marshall, thence over unnumbered highway to Albion, thence over Michigan Highway 99, crossing Interstate Highway 94 to junction access road to Michigan Avenue, thence over access road to Michigan Avenue, thence over Michigan Avenue via Parma to Jackson, thence over Interstate Highway B.L. (Business Loop) 94 to Interstate Highway 94, thence over Interstate Highway 94 to Fletcher Road Interchange, west of Lima, thence over unnumbered highway via Lima to Ann Arbor, thence over U.S. Highway 23 to junction Interstate Highway 94.

Thence over Interstate Highway 94 to Ypsilanti, thence over Michigan Highway 17 via Allen Park to junction Southfield Road, thence over Southfield Road to Lincoln Park, Mich., thence over South Fort Road to Detroit, Mich. (also from junction U.S. Highway 12 and Indiana Highway 520, formerly unnumbered highway, approximately 1½ miles west of Michigan City, Ind., over Indiana Highway 520 to junction U.S. Highway 20; also from Michigan City, Ind., east over U.S. Highway 35 to junction U.S. Highway 20; also from Galesburg, Mich., over Michigan Highway 96 via Augusta to Battle Creek; also from Augusta over unnumbered highway to Battle Creek; also from junction Interstate Highway B.L. (Business Loop) 94 and Michigan Avenue just east of Jackson, over Michigan Avenue via Leoni and Grass Lake, Mich., to junction Interstate Highway 94 just north of Sylvan, Mich.; also from Interchange unnumbered highway and Interstate Highway 94 just north of Sylvan over unnumbered highway via Chelsea, Mich., to Fletcher Road Interchange with Interstate Highway 94; also from Ann Arbor over U.S. Highway 23 to junction Interstate Highway 94, thence over Interstate Highway 94 to Ypsilanti, thence over U.S. Highway 12 to Detroit; also from Ann Arbor over Michigan Highway 17 to Ypsilanti; also from interchange of Interstate Highway 94 and Michigan Highway 17 east of Ypsilanti over Interstate Highway 94 to junction U.S. Highway 12; and also from Allen Park over Allen Road to Melvindale, thence over Oakwood Boulevard to Fort

Street, thence over Fort Street to Detroit, Mich., and return over the same routes.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-10050; Filed, Aug. 20, 1968; 8:50 a.m.]

[Notice 1210]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

AUGUST 16, 1968.

The following publications are governed by Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER issue of April 20, 1966, which became effective May 20, 1966.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 95224 (Sub-No. 4) (Republication), filed July 15, 1968, published in FEDERAL REGISTER issue of August 1, 1968, and republished this issue. Applicant: R. COMEAU, INC., Lime Street, Adams, Mass. 01220. Applicant's representative: William L. Mobley, 1694 Main Street, Springfield, Mass. 01103. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Chemicals, in bulk, from Adams, Mass., to points in Connecticut, Maine, New Hampshire, New York, Rhode Island, and Vermont. NOTE: This republication is to reflect the hearing information.

HEARING: September 19, 1968, before James A. McKiel, at the offices of the Interstate Commerce Commission, Washington, D.C.

No. MC 129261 (Republication), filed July 20, 1967, published in the FEDERAL REGISTER issue of August 3, 1967, and republished this issue. Applicant: AMERICAN, INC., MOVING & STORAGE, 1719 North Tancagua, Post Office Box 1602, Corpus Christi, Tex. 78403. Applicant's representative: Paul F. Sullivan, Colorado Building, Suite 913, 1341 G Street NW., Washington, D.C. 20005. By application filed July 20, 1967, applicant seeks a certificate of public convenience and necessity authorizing operation in interstate or foreign commerce as a common carrier by motor vehicle, over irregular routes, of household goods, as defined by the Commission, between points in Aransas, Bee, Brooks, Calhoun,

Cameron, Duval, Goliad, Jim Wells, Hidalgo, Kenedy, Live Oak, Nueces, Refugio, Starr, San Patricio, Victoria, Kleberg, and Willacy Counties, Tex., restricted to shipments moving in containers and having an immediately prior or subsequent movement by rail, motor, water, or air and moving on through bills of lading of forwarders, operating under the section 402(b) (2) exemption. By order of the Commission, dated September 13, 1967, served September 18, 1967, it was ordered that this proceeding be handled under modified procedure. A report and order of the Commission, decided July 25, 1968, served August 12, 1968, finds that the present and future public convenience and necessity require operation by applicant as a common carrier by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *used household goods*, between points in Aransas, Bee, Nueces, Refugio, San Patricio, and Kleberg Counties, Tex., restricted to the transportation of traffic having a prior or subsequent movement, in containers, beyond the points authorized and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization of unpacking, uncrating, and decontainerization of such traffic; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC-129632 (Sub-No. 1) (Republication), filed March 18, 1968, published in the FEDERAL REGISTER issue of April 4, 1968, and republished in this issue. Applicant: JESS HATFIELD AND GARY HATFIELD, a partnership, doing business as HATFIELD BROS., Post Office Box 6, Darwin, Minn. 55324. Applicant's representative: Charles E. Nieman, 1160 Northwestern Bank Building, Minneapolis, Minn. 55402. By application filed March 18, 1968, as amended, applicant seeks a permit authorizing operation, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of the commodity and from and to the points indicated below. A report and order of the Commission, Operating Rights Board, served August 6, 1968, finds that operation by applicants, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of animal and poultry feeds, from Litchfield, and Willmar,

Minn., to points in Wisconsin, under a continuing contract with Pro-Vid-All Mills, Inc., of Litchfield, Minn., will be consistent with the public interest and the national transportation policy; that applicants are fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder.

No. MC 129775 (Sub-No. 1) (Republication), filed March 21, 1968, published in the FEDERAL REGISTER issue April 4, 1968, and republished in this issue. Applicant: R. L. WARD, B. T. WARD, W. D. WARD, AND M. J. WARD, a partnership, doing business as WOODFORD DISTRIBUTING COMPANY, 915 Poplar Street, Cayce, S.C. 29033. Applicant's representative: Frank A. Graham, Jr., 707 Security Federal Building, Columbia, S.C. 29201. By application filed March 21, 1968, applicant seeks a permit authorizing operation, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of cosmetics, toilet preparations, household chemical specialties, good grooming aids, premium items, brushes, mops, waxes, polishes and cosmetics for home and industrial use, advertising matter, and premium merchandise, in packages, from Cayce, S.C., to points in South Carolina, under contracts with Avon Products, Inc., Stanley Home Products, Inc., and the Fuller Brush Co. An order of the Commission, Operating Rights Board, dated July 22, 1968, and served August 5, 1968, finds that operation by applicants, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of such commodities as are dealt in by distributors of household and cosmetic products, from Cayce, S.C., to points in South Carolina, under continuing contracts with Avon Products, Inc., Stanley Home Products, Inc., and the Fuller Brush Co. of Atlanta, Ga., will be consistent with the public interest and the national transportation policy; that applicants are fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings of this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a permit will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of

filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-10213. Authority sought for control and merger by LEE WAY MOTOR FREIGHT, INC., 3000 West Reno, Oklahoma City, Okla. 73108, of the operating rights and property of PACIFIC EXPRESS TRANSPORTATION, 8548 Unsworth Avenue, Route 2, Sacramento, Calif. 95828, and for acquisition by R. E. LEE and M. S. LEE, both also of Oklahoma City, Okla., of control of such rights and property through the transaction. Applicants' attorneys: Bertram S. Silver, 140 Montgomery Street, San Francisco, Calif. 94104, Richard H. Champlin, Post Office Box 82488, Oklahoma City, Okla. 73108, and Donald Murchison, 211 South Beverly Drive, Beverly Hills, Calif. 90212. Operating rights sought to be controlled and merged: Under a certificate of registration, in Docket No. MC-99833, Sub-2, covering the transportation of general commodities, common carrier, in interstate commerce, with the State of California. LEE WAY MOTOR FREIGHT, INC., is authorized to operate as a common carrier in Texas, Oklahoma, Missouri, Illinois, Kansas, Indiana, Ohio, Pennsylvania, West Virginia, New York, Arizona, New Mexico, California, Colorado, and Arkansas. Application has been filed for temporary authority under section 210a(b). Note: See also MC-F-9950 (WATSON-WILSON TRANSPORTATION SYSTEM, INC.—Purchase (Portion)—PACIFIC EXPRESS TRANSPORTATION), published in the November 29, 1967, issue of the FEDERAL REGISTER, on page 16300. MC-F-9950 is presently assigned for Hearing September 9, 1968, at San Francisco, Calif., before Examiner Samuel Shoup. MC-61440, Sub-113 is a matter directly related.

No. MC-F-10214. Application under section 5(1) of the Interstate Commerce Act for approval of an agreement between common carriers for the pooling of service. Applicants: TRI-STATE MOTOR TRANSIT, Post Office Box 113, East on Interstate Business Route 44, Joplin, Mo. 64801, which is authorized to operate as a common carrier in all States in the United States (except Hawaii), and the District of Columbia; U.S.A.C. TRANSPORT, INC., 25200 West Six Mile Road, Detroit, Mich. 48240, which is authorized to operate as a common carrier in all States in the United States (except Hawaii) and the District of Columbia; PARKHILL TRUCK COMPANY, 4219 South Memorial Drive, Tulsa, Okla. 74145, which is authorized to operate as a common carrier in all States in the United States (except Hawaii), and the District of Columbia; and HUGHES TRANSPORTATION, INC., 2038 Meeting Street Road, Post Office Box 851, Charleston, S.C., which is authorized to operate as a common carrier in South Carolina, North Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Tennessee,

Kentucky, Virginia, Maryland, Pennsylvania, New Jersey, Delaware, Indiana, West Virginia, Arkansas, and the District of Columbia; seek to enter into an agreement for the temporary pooling of that traffic which is presently authorized to the respective carriers. Applicants' attorney: Max G. Morgan, 450 American National Building, Oklahoma City, Okla. 73102.

No. MC-F-10215. Authority sought for purchase by C-B TRUCK LINES, INC., 1034 Humble Place, El Paso, Tex. 79915, of the operating rights and property of SILVER FREIGHT LINES, INCORPORATED, 300 North Arizona, Silver City, N. Mex. 88061, and for acquisition by RANDALL R. SAIN, also of El Paso, Tex., of control of such rights and property through the purchase. Applicants' attorney: Jerry R. Murphy, 708 La Veta NE., Albuquerque, N. Mex. 87108. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Silver City, N. Mex., and El Paso, Tex., serving (1) the intermediate point of Deming, N. Mex., restricted to traffic destined to or originating at points north thereof and (2) all intermediate points between Deming and Silver City and the off-route points of Fort Bayard, Fierro, Hanover, Santa Rita, and Vanadium, N. Mex., and those within 1 mile of the intermediate and off-route points named, without restriction; *general commodities*, except those of unusual value, commodities requiring special equipment, and those injurious or contaminating to other lading, between Silver City, N. Mex., and El Paso, Tex., serving all intermediate points between Silver City, N. Mex., and Deming, N. Mex., including Deming, without restrictions, all intermediate points between Deming, N. Mex., and El Paso, Tex., inclusive, and the off-route point of Wempe, N. Mex., restricted against the transportation of household goods as defined by the Commission, and the off-route point of Fort Bayard, N. Mex., restricted against the transportation of classes A and B explosives and commodities in bulk, between Silver City, N. Mex., and Santa Rita, N. Mex., serving all intermediate points, without restriction, except Vanadium which is restricted against the transportation of classes A and B explosives and commodities in bulk, and the off-route points of Wimpsettville, Hanover, and Fierro, N. Mex.; *general commodities*, between Silver City, N. Mex., and Lordsburg, N. Mex., serving all intermediate points, between Silver City, N. Mex., and Reserve, N. Mex., serving all intermediate points, and the off-route point of Mogollon, N. Mex.; *general commodities*, over irregular routes, between points in Grant, Hidalgo, and Catron Counties, N. Mex.; *livestock*, between points in Luna, Grant, Hidalgo, Dona Ana, and Sierra Counties, N. Mex., on the one hand, and, on the other, points in Greenlee, Graham, Cochise, Apache, Santa Cruz, Pima, Pinal, Gila, and Maricopa Counties, Ariz., from points in Luna, Grant, Hidalgo, Dona Ana, and Sierra

Counties, N. Mex., to El Paso, Tex., and to points in said counties on the lines of the Southern Pacific Co. and the Atchison, Topeka & Santa Fe Railway Co., for movement beyond; *livestock feed-stuffs*, from El Paso and Tornillo, Tex., to points in Luna, Grant, Hidalgo, Dona Ana, and Sierra Counties, N. Mex., other than those on the lines of the above-named railroad; *mohair*, from points in Grant and Sierra Counties, N. Mex., to El Paso, Tex., and to points in said counties on the lines of the above-named railroads, for movement beyond; *ore*, from points of production in Grant, Sierra, and Luna Counties, N. Mex., to points in said counties on the lines of the above-named railroads for movement beyond; windmills (knocked down), *steel tanks*, and *pipe*, from El Paso, Tex., to farms and ranches in Luna County, N. Mex.; with restriction. Vandee is authorized to operate as a *common carrier* in Texas, New Mexico, and Colorado. Application has been filed for temporary authority under section 210a(b).

No. MC-F-10216. Authority sought for purchase by DAYTON TRANSPORT CORPORATION, Post Office Box 35, Dayton, Va. 22821, of (1) a portion of the operating rights of ALLEN EYE AND STANLEY LEWIS CRAIG, doing business as EYE AND CRAIG TRANSFER, Franklin, W. Va., and (2) the operating rights of FRED LEO WILLIAMS, doing business as FRED WILLIAMS, Fort Seybert, W. Va., and for acquisition by CARR P. COFFMAN and G. LEWIS CLEMMER, both also of Dayton, Va., of control of such rights through the purchase. Applicants' representative: C. F. Germelman, Post Office Box 81, Winchester, Va. 22601. Operating rights sought to be transferred: (1) *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes between Harrisonburg, Va., and Franklin, W. Va., serving all intermediate points, between Franklin, W. Va., and Harman, W. Va., serving all intermediate points, and off route points within 5 miles of the route; *general commodities*, excepting, among others, household goods and commodities in bulk, over irregular routes, between Harrisonburg, Va., on the one hand, and, on the other, points in Pendleton County, W. Va., with restrictions; *animal and poultry feeds, equipment and supplies*, necessary for the raising and marketing of poultry, and *fertilizer*, from Harrisonburg, Va., to points in Pendleton County, W. Va., and *livestock*, from points in Pendleton County, W. Va., to Harrisonburg, Va.; with restrictions; and (2) *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over irregular routes, between Harrisonburg, Va., on the one hand, and, on the other, Petersburg, W. Va., points in Pendleton County, W. Va., and those in that part of Hardy County, W. Va., within 25 miles of Fort Seybert, W. Va.; *livestock*, between points in Rockingham County, Va., on the one hand, and, on the other, points in Pendleton County, W. Va., and that part of Hardy County, W. Va. within 25

miles of Fort Seybert, W. Va.; and *brick and sand*, from Dayton, Va., to points in Pendleton County, W. Va., and those in that part of Hardy County, W. Va., within 25 miles of Fort Seybert, W. Va., with restrictions. Vandee is authorized to operate as a *common carrier* in Virginia, West Virginia, North Carolina, and Tennessee. Application has been filed for temporary authority under section 210a(b).

No. MC-F-10217. Authority sought for purchase by AUTREY F. JAMES, doing business as A. F. JAMES TRUCK LINE, 107 Lelia Street, Texarkana, Tex. 75501, of the operating rights of REDLAND OIL COMPANY, INC., Post Office Box 601, San Augustine, Tex. Applicants' attorney: Donald R. Partney, 35 Glenmere Drive, Little Rock, Ark. 72204. Operating rights sought to be transferred: *Sugar*, in bags, as a *contract carrier*, over irregular routes, from Supreme (Assumption Parish), Reserve (St. John the Baptist Parish), and Shreveport, La., to Clovis, N. Mex., and points in Texas and Oklahoma, from San Augustine, Tex., to Clovis, N. Mex., and points in Oklahoma. Restriction: The service authorized herein is subject to the following conditions: The operations authorized herein are limited to a transportation service to be performed, under a continuing contract, or contracts with the following shippers: J. Aron & Co., of New Orleans, La., Godchaux Sugar Refining Co., or Reserve, La., J. Monroe Harris, of San Augustine, Tex. The operations authorized herein shall be conducted separately from any other business activities of carrier or of any of its stockholders. That carrier shall maintain separate accounting systems therefor. That carrier shall not transport property as both for-hire and a private carrier at the same time and in the same vehicle. Vandee is authorized to operate as a *contract carrier* in Texas, Arkansas, Oklahoma, Louisiana, Alabama, Tennessee, Mississippi, Florida, Georgia, Kansas, Kentucky, Missouri, North Carolina, Oklahoma, South Carolina, Virginia, Nebraska, and New Mexico. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-10218. Authority sought for control by MAGNA GARFIELD TRUCK LINE, 1030 South Redwood Road, Salt Lake City, Utah 84104, of UTAH FREIGHTWAYS, 970 West Main Street, Vernal, Utah 84080. Applicants' attorney: William S. Richards, 1610 Walker Bank Building, Salt Lake City, Utah 84111. Operating rights sought to be controlled: *General commodities*, except commodities in bulk other than sand, as a *common carrier*, over regular routes, between Salt Lake City, Utah, and junction Utah Highways 44 and 260, serving points on such highways in Duchesne and Uintah Counties, Utah, as intermediate points, and serving Dutch John, Manila, and Linwood, Utah, junction Wyoming Highway 530 and unnumbered U.S. Bureau of Reclamation Road, and all points on the Bureau of Reclamation Road as off-route points; between Salt Lake City, Utah, and Heber City, Utah, serving all

intermediate points, with restriction; between junction U.S. Highway 91 and Utah Highway 52, and junction U.S. Highway 189 and Utah Highway 52, serving all intermediate points, between Duchesne, Utah, and Price, Utah, serving all intermediate points, and serving points in Duchesne and Uintah Counties, Utah, as off-route points; *general commodities*, except commodities in bulk other than sand, over irregular routes, between Salt Lake City, Utah, and points in Duchesne and Uintah Counties, Utah; *general commodities*, except household goods as defined by the Commission, classes A and B explosives, and commodities which because of size or weight require special equipment, between Salt Lake City, Utah, and points in Duchesne and Uintah Counties, Utah, on the one hand, and, on the other, points in Daggett County, Utah, with restriction; *well-servicing equipment and supplies*, and *drilling parts and supplies*, except drilling rigs and tubular goods, and except carbon dioxide in bulk, in tank vehicles, between Vernal, Utah, on the one hand, and, on the other, points in Colorado, New Mexico, Arizona, Idaho, Wyoming, and Nevada, with restriction; *sand*, in bulk, in pneumatic tank vehicles, from Houck, Ariz., to Vernal, Utah; *gilsonite*, in bulk, in tank vehicles, from points in Duchesne and Uintah Counties, Utah, to the test site of the Atomic Energy Commission, at or near Mercury, Nev.; *coal* and *fly ash*, in bulk, in tank vehicles, from points in Carbon County, Utah, to the test site of the Atomic Energy Commission near Mercury, Nev.; and *fly ash*, in bulk, in tank vehicles, from points in Carbon County, Utah, to points in San Juan County, N. Mex. MAGNA GARFIELD TRUCK LINE, is authorized to operate as a *common carrier* in Utah, and partly under a certificate of registration, within the State of Utah. Application has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-10051; Filed, Aug. 20, 1968;
8:50 a.m.]

[Notice 671]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

AUGUST 15, 1968.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 340), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized

representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 111812 (Sub-No. 369 TA), filed August 12, 1968. Applicant: MIDWEST COAST TRANSPORT, INC., 405½ East Eighth Street, Post Office Box 1233, Sioux Falls, S. Dak. 57101. Applicant's representative: Joseph W. Harvey (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, other than frozen, from Comstock-Greenwood Foods, division of the Borden Co., plantsites and storage facilities at Waterloo, Red Creek, Rushville, Egypt, Penn Yan, Lyons, Newark, and Fairport, N.Y., to points in Illinois, Iowa, Minnesota, Missouri, Nebraska, and Wisconsin, for 180 days. Supporting shipper: Comstock-Greenwood Foods, division of the Borden Co., Newark, N.Y. 14513, Leland C. Henry, distribution manager. Send protests to: J. L. Hammond, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 369, Federal Building, Pierre, S. Dak. 57501.

No. MC 115523 (Sub-No. 148 TA), filed August 12, 1968. Applicant: CLARK TANK LINES COMPANY, 1450 North Beck Street, Post Office Box 1895 (84110). Applicant's representative: Gordon Roberts, 520 Kearns Building, Salt Lake City, Utah 84101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, and in tank vehicles, between points in Boise, Idaho, and points within 10 miles thereof, on the one hand, and, on the other, points in Oregon, for 180 days. Supporting shipper: Blackline Asphalt Sales of Idaho, Inc., Box 4324, Boise, Idaho. Send protests to: John T. Vaughan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 6201 Federal Building, Salt Lake City, Utah 84111.

No. MC 116077 (Sub-No. 244 TA), filed August 12, 1968. Applicant: ROBERTSON TANK LINES, INC., 5700 Polk Avenue, Post Office Box 9527 (77011), Houston, Tex. 77023. Applicant's representative: J. C. Browder (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from Houston, Tex., to Oklahoma City, Okla., for 180 days. Note: Applicant does not intend to tack authority with presently authorized routes. Supporting shipper: Ideal Cement Co., A. S. Bonney, Traffic Manager, 821 Seventh Street, Denver, Colo. 80202. Send protests to: District Supervisor John C. Redus, Bureau of Operations, Interstate Commerce Commission, 8610 Federal Build-

ing, 515 Rusk Avenue, Houston, Tex. 77002.

No. MC 119778 (Sub-No. 116 TA), filed August 12, 1968. Applicant: REDWING CARRIERS, INC., Alabama corporation, Post Office Box 34, Powderly Station, Wilson Road, Birmingham, Ala. 35221. Applicant's representative: J. V. McCoy, Post Office Box 426, Tampa, Fla. 33601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulphuric acid* and *phosphatic fertilizer solution*, in bulk, in tank vehicles, from the plantsite of Freeport Sulphur Co. at or near Uncle Sam, St. James Parish, La., to points in Alabama, Arkansas, Florida, Georgia, Illinois, on and south of U.S. Highway 50 including East St. Louis, Kentucky, Louisiana, Mississippi, Missouri, on and south of the Missouri River, Oklahoma, Tennessee, and Texas, for 180 days. Supporting shipper: Freeport Sulphur Co., 161 East 42d Street, New York, N.Y. 10017. Send protests to: B. R. McKenzie, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 823, 2121 Building, Birmingham, Ala. 35203.

No. MC 119839 (Sub-No. 5 TA), filed August 12, 1968. Applicant: DARREL M. BAKER AND LEE SHELL, doing business as SHELL FEED & SUPPLY CO., Lutesville, Mo. 63762. Applicant's representative: Joseph R. Nacy, 117 West High Street, Jefferson City, Mo. 65101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden pallets* and *pallet parts*, from points in Bollinger County, Mo., and those in Wayne County, Mo., east of U.S. Highway 67, to points in Illinois, for 150 days. Supporting shippers: Mitchell Pallet & Lumber Co., Post Office Box 21, Marble Hill, Mo. 63764; Lutesville Pallet Co., Inc., Post Office Box 127, Lutesville, Mo. 63762; Atlas Pallet & Box, Inc., 5050 North River Road, Schiller Park, Ill. 60176. Send protests to: J. P. Werthmann, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 3248B, 1520 Market Street, St. Louis, Mo. 63103.

No. MC 124245 (Sub-No. 12 TA) (Amendment), filed July 3, 1968, published FEDERAL REGISTER July 23, 1968, and republished as amended this issue. Applicant: ALBERT V. MEILSTRUP, doing business as ACE REFRIGERATED TRUCKING SERVICE, 219 East Tuttle Street, South Bend, Ind. 46618. Applicant's representative: Wm. L. Carney, 105 East Jennings Avenue, South Bend, Ind. 46614. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* having prior or subsequent movement by railroad or motor carrier, from South Bend and Mishawaka, Ind., to points in Elkhart County, Ind., and Saint Joseph County, Ind., for 180 days. Note: The purpose of this republication is to show authority as amended. Supporting shippers: There are approximately 10 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or

copies thereof which may be examined at the field office named below. Send protests to: District Supervisor J. H. Gray, Bureau of Operations, Interstate Commerce Commission, Room 204, 345 West Wayne Street, Fort Wayne, Ind. 46802.

No. MC 127722 (Sub-No. 1 TA), filed August 12, 1968. Applicant: DAVID L. RHODA, Route No. 1, Schoolcraft, Mich. 49087. Applicant's representative: W. Fred Allen, Jr., 1015 American National Bank Building, Kalamazoo, Mich. 49006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bulk feed*, from Hammond, Ind., to points in that part of Michigan on, west and south of a line beginning on U.S. Highway 127 at the Indiana-Michigan State line and extending north along U.S. Highway 127 to junction Interstate Highway 96 to Muskegon, Mich., thence west to Lake Michigan, with no transportation for compensation on return except as otherwise authorized, for 180 days. Supporting shipper: Farm Bureau Services, Inc., 4000 North Grand River, Lansing, Mich. 48904. Send protests to: C. R. Flemming, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 221 Federal Building, Lansing, Mich. 48933.

No. MC 128246 (Sub-No. 4 TA), filed August 12, 1968. Applicant: GARIBALDI NATIONAL TRANSPORTERS CO., INC., 3500 Fruitland Avenue, Post Office Box 488, Maywood, Calif. 90270. Applicant's representative: William N. Towle, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in sections A, B, and C of appendix I to report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except commodities in bulk), from Tolleson, Ariz., to points in California, return of *damaged, rejected, or spoiled shipments*, for 180 days. Supporting shipper: Swift & Co., Post Office Box 126, Tolleson, Ariz. 85353. Send protests to: John E. Nance, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 7708 Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 128701 (Sub-No. 4 TA), filed August 12, 1968. Applicant: R. MARTEL EXPRESS, LIMITED, 47 West Visitation Street, Farnham, Quebec, Canada. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Limestone*, in bags, from Middlebury, East Middlebury, and New Haven Junction, Vt., to the ports of entry at or near Champlain, N.Y., and/or Highgate, Vt., and return with *wood pallets* used in the above described operation, for 150 days. Supporting shipper: St. Lawrence Chemical Co. (Sales), Ltd., 5405 Pare Street, Montreal 9, Quebec. Send protests to: Martin P. Monaghan, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 52 State Street, Room 5, Montpelier, Vt. 05602.

No. MC 129997 (Sub-No. 1 TA), filed August 12, 1968. Applicant: BILLY GOINS AND ROBERT A. GOINS, doing business as GOINS TRUCKING, Post Office Drawer T, Childersburg, Ala. 35044. Applicant's representative: Robert E. Tate, Suite 2023-2027, City Federal Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Talc (soapstone)*, in bulk, in dump vehicles, from points in Avery, Cherokee and Jackson Counties, N.C., to the plantsite of Resource Processors, Inc., at or near Alpine, Ala., for 180 days. Supporting shipper: Resource Processors, Inc., Post Office Box 529, 77 River Street, Hoboken, N.J. 07030. Send protests to: B. R. McKenzie, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 823, 2121 Building, Birmingham, Ala. 35203.

No. MC 133075 TA, filed August 12, 1968. Applicant: BREMERTON TRANSFER AND STORAGE CO., INC., 221 Bruenn Avenue, Bremerton, Wash. 98310. Applicant's representative: Joseph O. Earp, 411 Lyon Building, Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Kitsap, Mason, Pierce, Jefferson, and Grays Harbor Counties, Wash., for 180 days. Supporting shippers: There are approximately seven statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: E. J. Casey, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 6130 Arcade Building, Seattle, Wash. 98101.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-10052; Filed, Aug. 20, 1968;
8:50 a.m.]

[Notice 194]

MOTOR CARRIER TRANSFER PROCEEDINGS

AUGUST 16, 1968.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-70470. By order of August 9, 1968, the Transfer Board ap-

proved the transfer to Lynn Tarrell, doing business as Tarrell's Transfer, 755 Siemers Street, Platteville, Wis. 53818; of a portion of the operating rights in certificates Nos. MC-6264 and MC-6264 (Sub-No. 4), and the entire operating rights in certificate No. MC-6264 (Sub-No. 6), issued March 18, 1958, November 15, 1960, and July 25, 1962, respectively, to Lewis W. Groom, doing business as L. & N. Transfer, Cassville, Wis., authorizing the transportation of household goods, from, to, or between, specified points in Illinois, Iowa, and Wisconsin.

No. MC-FC-70592. By order of August 12, 1968, the Transfer Board on reconsideration, approved the transfer to Sardo's Delivery Service, Inc., Seaford, N.J., of that portion of the operating rights in certificate No. MC-44513 issued March 27, 1962, to Matco Transportation, Inc., Jersey City, N.J., authorizing the transportation of general commodities, with exceptions, between points in Bergen, Hudson, Passaic, Union, and Essex Counties, N.J., on the one hand, and, on the other, New York, N.Y., except points in Nassau County, N.Y., within the New York, N.Y., commercial zone. Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica, N.Y. 11432, attorney for applicants.

No. MC-FC-70594. By order of August 9, 1968, the Transfer Board, on reconsideration, approved the transfer to Harding L. Creasy, Donny R. Creasy, and Glen E. Creasy, a partnership, doing business as H. L. Creasy & Sons, Route 1, Bluefield, Va. 24605, of the operating rights in certificate No. MC-102659 issued August 29, 1942, to Ernest G. Wagner, Pocahontas, Va., authorizing the transportation of household goods between points in Virginia and West Virginia within 100 miles of Pocahontas, Va., including Pocahontas, and coal, between points in Virginia and West Virginia within 20 miles of Pocahontas.

No. MC-FC-70614. By order of August 12, 1968, the Transfer Board approved the transfer to James Casel Valentine, Highway 80 West, Forest, Miss. 39074, of the operating rights in permits Nos. MC-125458 (Sub-No. 2) and MC-125458 (Sub-No. 4), issued April 23, 1964, and June 20, 1967, respectively, to Dwight Lewis, doing business as Lewis Grain & Produce, Morton, Miss., authorizing the transportation of wooden pallets, from Morton, Miss., to Osceola, Ark., Peoria, Ill., and points in Alabama, Louisiana, and Tennessee under a continuing contract with a named shipper.

No. MC-FC-70641. By order of August 12, 1968, the Transfer Board approved the transfer to Marketing Services, Inc., South Orange, N.J., of that portion of the operating rights in certificate No. MC-77081 issued September 26, 1962, to Paterson Trucking Co., Inc., Paterson, N.J., authorizing the transportation of general commodities, with the usual exceptions, between points in Nassau and Westchester Counties, N.Y., on the one hand, and, on the other, points in Hudson, Bergen, Passaic, Essex, and Union Counties, N.J. James J. Farrell, 201 Montague Place, South Orange, N.J.,

07079, John M. Zachara, Post Office Box Z, Paterson, N.J. 07509, representatives for applicants.

No. MC-FC-70687. By order of August 7, 1968, the Transfer Board, approved the transfer to Burkett Trucking Co., Inc., Little Rock, Ark., of the operating rights in certificate No. MC-118016, issued January 6, 1961, in the name of Doyle Burkett, Little Rock, Ark., authorizing the transportation in interstate or foreign commerce, over irregular routes, of bananas, from New Orleans, La., to Little Rock, Ark., with no transportation for compensation on return except as otherwise authorized, and frozen yams, from Hammond, La., to Los Angeles, San Francisco, Oakland, San Diego, and Sacramento, Calif., Tucson and Phoenix, Ariz., with no transportation for compensation on return except as otherwise authorized. Glen W. Jones, Jr., Barber, Henry, Thurman, McCaskill & Amsler, 1426 Donaghey Building, Little Rock, Ark. 72201, attorney for applicants.

No. MC-FC-70689. By order of August 7, 1968, the Transfer Board approved the transfer to S & S Van Lines, Inc., La Porte, Ind., of that portion of the operating rights in certificate No. MC-13367 (Sub-No. 7), issued October 7, 1963, to Robert Merley, New Carlisle, Ind., authorizing transportation service in interstate or foreign commerce over irregular routes of household goods, as defined by the Commission, between points in Berrien County, Mich., on the one hand, and, on the other, points in La Porte, Porter, and Lake Counties, Ind., and Cook County, Ill. William L. Carney, 105 East Jennings Avenue, South Bend, Ind. 46614, attorney for applicants.

No. MC-FC-70707. By order of August 9, 1968, the Transfer Board, approved the transfer to Diane M. McIner, Kansas City, Mo., of the operating rights in certificate No. MC-3790 (Sub-No. 5), issued October 18, 1956, to Williams Transfer, Inc., North Kansas City, Mo., authorizing transportation service in interstate commerce, over regular routes, of livestock, from Arley, Mo., to Kansas City, Kans., serving the intermediate point of Kansas City, Mo., restricted to delivery only and intermediate and off-route points within 10 miles of Arley restricted to pickup only, over specified routes; general commodities, except those of unusual value, classes A and B explosives, household goods, as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, from Kansas City, Kans., to Arley, Mo., serving the intermediate point of Kansas City, Mo., restricted to pickup only; and to intermediate and off-route points within 10 miles of Arley restricted to delivery only, over specified routes. Charles A. Darby, 1215 Commerce Building, Kansas City, Mo. 64106, attorney for applicants.

No. MC-FC-70709. By order of August 9, 1968, the Transfer Board, approved the transfer to Norman W. Roux, Moundridge, Kans., of the operating rights in certificate No. MC-110248, issued January 31, 1950, to Emil D. Claassen (Milliecent Claassen, executrix), doing business as Emil D. Claassen Trucking Service, Newton, Kans., authorizing transportation service in interstate commerce, over irregular routes, of feeds, processed and unprocessed, from St. Joseph and Kansas City, Mo., to points and places within

25 miles of Newton, Kans., except incorporated cities, towns, and villages, agricultural machinery and parts thereof, from Kansas City, Mo., to points and places within 25 miles of Newton, Kans., except incorporated cities, towns and villages and return with no compensation except as otherwise authorized; livestock, between points and places within 25 miles of Newton, Kans., on the one hand, and, on the other, St. Joseph and Kansas City, Mo.; emigrant moveables, between points and places in Kansas within 25 miles of Newton, except incorporated cities, towns and villages, on the one hand, and, on the other, points and places in Missouri and Oklahoma except incorporated cities, towns, and villages. C. Fred Ice, 110 East Sixth Street, Newton, Kans. 67114, attorney for applicants.

No. MC-FC-70673. By order of August 9, 1968, the Transfer Board, approved the transfer to James A. Marinari and Joseph A. Marinari, a partnership, doing business as Marinari Brothers, Conshohocken, Pa., of the operating rights in certificate No. MC-118936 issued June 13, 1961, to Albert Marinari, Conshohocken, Pa., authorizing the transportation of crushed stone, in bulk, in dump vehicles, from Norristown, Pa., to Riverton, N.J., and sands, in bulk, in dump vehicles, from Mount Holly and Riverside, N.J., to Plymouth Township, Montgomery County, Pa. J. Pierce Anderson, 522 Swede Street, Norristown, Pa. 19401, attorney for applicants.

[SEAL]

H. NEIL GARSON,
Secretary.[F.R. Doc. 68-10053; Filed, Aug. 20, 1968
8:50 a.m.]

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